



# Journal of the Senate

Number 13—Regular Session

Thursday, April 10, 2003

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## CALL TO ORDER

The Senate was called to order by President King at 9:45 a.m. A quorum present—39:

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Excused: Senator Clary

## PRAYER

The following prayer was offered by the Rev. Donald L. Roberts, Goodwill Industries Manasota, Sarasota:

Holy and Eternal God: here we are again, God, the elected representatives of the people of Florida, asking the impossible; hoping for a miracle, and praying for both.

First, we are grateful to you for being the God of all peoples, Democrats, Republicans, Independents, lobbyists and politicians; especially for your willingness to grace these chambers with your divine presence; when sometimes our behaviors are less than divine.

Second, we are grateful amidst the stress and intensity of lawmaking, for your reminder to "love one another," especially when President King and Speaker Byrd express different points of view that some would interpret negatively for their own purposes.

Third, we are grateful for the demands of the people of Florida, because as their elected officials, we want to do good and do it well . . . but with constitutional demands for high-speed trains, and smaller classrooms . . . and an antiquated tax system, we find ourselves in need of divine intervention indeed.

Thank God for our various trust funds and forgive us for raiding them.

And last, O God, we would pray for a miracle: for God knows a miracle is what the Legislature of the State of Florida needs these days. O God, we pray for the miracle of more revenue or decreased demands.

In the end, O God, we honestly don't think that either will happen, so with more demand than money, we will have to do what we are good at. We will have to cut deals which we don't like; we will have to tap funds we would prefer to leave intact; Senators Bennett and Carlton will have to build consensus with Representatives Clark and Detert for the folks back home; we will have to sometimes vote holding our noses; and yes, Lord, we will do the work of compromise and consensus building to which we all have been called and elected.

Holy God, we know you never promised that this job would be easy, but this year is one for the history books. O God, we want a miracle, but will settle for the politics of consensus building and compromise; and hope for a better year next year.

Protect, O God, our warriors for peace. In your holy name, we pray. Amen and Amen.

## PLEDGE

Senate Pages Christie Anne Bell of Babson Park, Jeff Boegli of New Port Richey, Stephane Grieco, French exchange student of Tallahassee and Gregory D. Owens of Miami, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Ricardo Requena of Clearwater, sponsored by Senator Villalobos, as doctor of the day. Dr. Requena specializes in Otolaryngology.

## ADOPTION OF RESOLUTIONS

On motion by Senator Saunders—

By Senator Saunders—

**SR 1290**—A resolution recognizing the continued contribution of Goodwill Industries to the economic base of the State of Florida.

WHEREAS, Goodwill Industries is the largest nonprofit provider of employment and training services in this country, and

WHEREAS, Goodwill Industries provides employment, job-training, and career services for people with disabilities and for people with other disadvantages, such as welfare dependency, illiteracy, a criminal history, or homelessness, and

WHEREAS, in its 101 years of service Goodwill Industries has helped millions of people through its programs and services, and

WHEREAS, during the 2002 calendar year, 95,363 Floridians participated in the employment and training services of Goodwill Industries, and 23,683 Floridians obtained community employment, and

WHEREAS, the Florida Goodwill Association, the organization of nine Goodwill members located throughout the state, has collectively generated \$243,758,190 in earnings for people placed in community employment, resulting in a significant contribution to the state's economic base and tax revenues, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes the Florida Goodwill Association and commends the organization for its valued programs, which have expanded the opportunities and occupational capabilities of millions of Floridians.

BE IT FURTHER RESOLVED that copies of this resolution, with the Seal of the Senate affixed, be presented to Mr. Dennis Clark, President of the Florida Goodwill Association, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Saunders, **SR 1290** was read the second time in full and adopted.

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On motion by Senator Dockery—

By Senators Dockery, Alexander, and Lee—

**SR 1504**—A resolution recognizing April 10, 2003, as Polk County Legislative Day in Tallahassee.

WHEREAS, Polk County encompasses 17 municipalities in the heart of Central Florida across 2,010 square miles of land dotted with more than 554 freshwater lakes and lush nature preserves featuring rare and exotic wildlife, rolling hills, sparkling rivers, beautiful savannas, and pinewood forests, and

WHEREAS, Polk County's population is 502,000 persons who reside in an area the size of the State of Delaware and is a population center for the State of Florida, with more than 7.5 million people living within a 100-mile radius of our inland community, and

WHEREAS, Polk County is known for its historic charm and small-town atmosphere, blended with its largely undiscovered and unspoiled natural surroundings, and

WHEREAS, the vacation destinations of Polk County are visited by more than 1.5 million tourists annually and include Cypress Gardens, Historic Bok Sanctuary, Hollis Gardens, Fantasy of Flight, and the Frank Lloyd Wright architecture at Florida Southern College, and

WHEREAS, Polk County's Lake Wales Ridge has the distinction of being Florida's original beach-front property and features more than 50 species of endangered, threatened, rare, or special-concern wildlife, and

WHEREAS, Polk County, has been deemed the Largemouth Bass Fishing Capital of the World for its wonderful fishing in numerous undeveloped lakes as well as, Winter Haven's chain of 14 lakes connected by well-established canals, and

WHEREAS, Polk County is home to the Detroit Tigers and the Cleveland Indians during spring training season, and

WHEREAS, Polk County is the center of citrus production and phosphate mining for the world, and

WHEREAS, Polk County is the corporate headquarters for Publix Super Markets, the largest private company in the state, employing more than 125,000 persons, and is also home to the W.S. Badcock Corporation, which has been located in Mulberry since 1904, and

WHEREAS, Polk County has been home to some of the state's leading Legislators and former Governor Lawton Chiles, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes April 10, 2003, as Polk County Legislative Day in Tallahassee.

—was introduced out of order and read by title. On motion by Senator Dockery, **SR 1504** was read the second time in full and adopted.

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On motion by Senator Smith—

By Senators Smith, King, Alexander, Argenziano, Aronberg, Atwater, Bennett, Bullard, Campbell, Carlton, Clary, Constantine, Cowin, Crist,

Dawson, Diaz de la Portilla, Dockery, Fasano, Garcia, Geller, Haridopolos, Hill, Jones, Klein, Lawson, Lee, Lynn, Margolis, Miller, Peaden, Posey, Pruitt, Saunders, Sebesta, Siplin, Villalobos, Wasserman Schultz, Webster, Wilson and Wise—

**SR 2632**—A resolution honoring the memory of Senator George G. Kirkpatrick, Jr.

WHEREAS, Senator George G. Kirkpatrick, Jr., served with distinction in the Florida Senate from 1980 through 2000, and

WHEREAS, it is most appropriate that the Florida Senate commemorate the passing of one of its former members who served his district and the State of Florida so admirably, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That this legislative body does pause in its deliberations to pay its respects to the late Senator George G. Kirkpatrick, Jr., and that the Florida Senate in session assembled does record this testimonial of esteem and bereavement:

IN MEMORIAM  
GEORGE G. KIRKPATRICK, JR.

George G. Kirkpatrick, Jr., was born on December 24, 1938, in Gainesville, Florida, and served as the Senator from the Fifth District in the Florida Senate from 1980 until 2000. During his tenure in the Florida Senate, Senator George G. Kirkpatrick, Jr., authored the Solid Waste Management Act of 1988, which established recycling programs statewide; sponsored the Sadowski Affordable Housing Act in order to make housing more accessible to low-income Floridians; sponsored the Preservation 2000 program to preserve sensitive state lands; was tireless in his efforts to preserve the Rodman Reservoir; and championed workforce development and economic development programs that have greatly benefited the workers of this state. Through his work in the Florida Legislature and as the Executive Director of the Independent Colleges and Universities of Florida, Senator Kirkpatrick also worked successfully to improve higher education throughout this state. His contributions to the State of Florida and the people of this state were numerous, and his legacy as a champion of children, a protector of the environment, and an advocate for higher education shall live on for years to come. Senator George G. Kirkpatrick, Jr., died unexpectedly on February 5, 2003, in Tallahassee, and is survived by his wife, Monika, his children Catherine and Grier, and three grandchildren.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate, with the Seal of the Senate affixed, be transmitted to Mrs. Monika Kirkpatrick, widow of George G. Kirkpatrick, Jr., as a tangible token of the sentiments expressed herein and as a lasting symbol of the respect of the members of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Smith, **SR 2632** was read the second time in full and adopted.

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At the request of Senator Saunders—

By Senator Saunders—

**SR 494**—A resolution recognizing and commending Team Kobayashi for winning the Gold Medal in the Performance Division of the 2002 USA National Karate-do Federation Tournament.

WHEREAS, Team Kobayashi of Cape Coral, Florida, made up of children 7 to 15 years of age, competed with 6,400 other young people in the USA National Karate-do Federation Tournament in Norfolk, Virginia, on July 20, 2002, and whose competition team won the gold medal in the Performance Division of the competition, and

WHEREAS, the coaches of Team Kobayashi are Bernard Dougherty and Yuki Dougherty, and the members who competed in the nationals including the performance team are Stephen Cross, Eric J. Dino, Daichi Dougherty, Miko Dougherty, Khoi Duong, Robert Hanna, Erin Hodson, Bruce James, Jr., Christian Jurney, Max Pegues, Anthony Rosado, Ben-cis Sanchez, Chelsea Spiro, Evan Thompson, Alexandra Wilson, and Zachary Wilson, and

WHEREAS, the performance team routinely performs free Karate demonstrations in and around Cape Coral to entertain and promote good

will for numerous organizations, such as the American Cancer Society, the Juvenile Diabetes Foundation, and the Westbay Retirement Home, and

WHEREAS, the team's civic activities and successes in Karate competitions bring distinctive honor to the State of Florida and its citizens, especially those who reside in Cape Coral and Lee County, by exemplifying the responsible citizenship and competitive excellence a group of young men and women can attain by combining their talents and disciplining themselves in work to excel in performing the art of Karate, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes and commends Team Kobayashi of Cape Coral, Florida, for its outstanding accomplishments in competition at the July 20, 2002, USA National Karate-do Federation Tournament in Norfolk, Virginia, and for its responsible citizenship in routinely performing free Karate demonstrations for community service organizations in and around Cape Coral.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Team Kobayashi of Cape Coral, Florida, as a tangible token of the sentiments of the Florida Senate.

—SR 494 was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senators Hill and Lawson—

**SR 2788**—A resolution recognizing and honoring Dexter Lamar Jackson for his extraordinary achievements.

WHEREAS, Dexter Lamar Jackson was born July 28, 1977, in Quincy, Florida, to Lula and the late Wilber "Red" Jackson, and was raised and educated in Gadsden County, Florida, graduating from James A. Shanks High School, where he achieved stardom in football, basketball, and track, and

WHEREAS, before graduating from high school, Dexter Lamar Jackson accepted a grant-in-aid scholarship to play football at Florida State University, where he achieved stardom in his performances at free safety, and was selected by the Tampa Bay Buccaneers in the 4th round of the 1999 NFL Draft, and

WHEREAS, in 2001 preseason drills, Dexter Lamar Jackson became the starting free safety for the Tampa Bay Buccaneers, a position he thereafter retained and in which he continually excelled, becoming a leader on the team widely considered to have the best defense in the NFL, and

WHEREAS, Dexter Lamar Jackson achieved superstardom in his performances as free safety in Super Bowl XXXVII, intercepting two passes in critically important situations to enable the Tampa Bay Buccaneers to gain the momentum needed to establish control of the game, dominate the Oakland Raiders, decidedly win the game, and become the 2003 World Champions in professional football, and

WHEREAS, in recognition of the critical value of his performances in the game, Dexter Lamar Jackson was voted Most Valuable Player of Super Bowl XXXVII, becoming only the 3rd defensive back and the 7th defensive player in Super Bowl history to win that award, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes Dexter Lamar Jackson for his extraordinary achievements, and commends him for the great honor he has brought to the State of Florida in being voted Most Valuable Player of Super Bowl XXXVII.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dexter Lamar Jackson as a tangible token of the sentiments of the Florida Senate.

—SR 2788 was introduced, read and adopted by publication.

At the request of Senator Siplin—

By Senator Siplin—

**SR 2808**—A resolution recognizing and honoring the extraordinary life, remarkable work, and invaluable community service of Ray D. McCleese.

WHEREAS, Ray D. McCleese was born in Columbia, North Carolina, spent his formative years in Philadelphia, Pennsylvania, being educated in the public schools of that community, and, upon graduating from high school, embarked on a career in the United States Armed Forces, serving with distinction in both the United States Army and the United States Air Force, and

WHEREAS, upon being honorably discharged from the United States Air Force, Mr. McCleese sought and obtained employment with the Florida Department of Corrections, embarking on a career in corrections that endured for the ensuing 29 years and ended with his retirement on September 1, 2001, and

WHEREAS, in the course of his employment with the Florida Department of Corrections, Mr. McCleese served with distinction, becoming the first African-American to serve as Superintendent of one of Florida's correctional institutions and being the first African-American to serve in that capacity at three of the Department's major corrections facilities, and ending his corrections career in service to the Department as Director of Security and Institutional Management, overseeing operations of the Department's correctional institutions located in the 9-county Central Florida area, and

WHEREAS, Mr. McCleese rendered invaluable community service as a six-term President of the Washington Shores Optimist Club, President of Metropolitan Orlando Urban League's Guild and Chair of the League's Executive Board, a member of the Orlando City of Light Leadership Coalition, a member of the Orlando Mayor's Dr. Martin Luther King Holiday Commission, a Commissioner and Past-President of the Orlando Utilities Commission, a member of the Board of Directors for the Minority and Women's Business Alliance, and Florida State Coordinator for the NAACP's Prison Project, and

WHEREAS, Mr. McCleese received many awards in recognition of his outstanding leadership and invaluable civic service, including the Board of Correctional Education's "Award of Merit," Metropolitan Orlando Urban League's "Willie J. Bruton Award," the University of Central Florida's "Alumni Professional Achievement Award," Florida Council of Crime and Delinquency's "Louie L. Wainwright Award," the National Association of Blacks in Criminal Justice's "Jonathan Jasper Wright Award," the Florida Teaching Profession-Florida Education Association Human and Civil Rights Committee's "Martin Luther King, Jr., Award," and

WHEREAS, on March 26, 2003, Ray McCleese passed from this world to an eternal life with his Heavenly Father, leaving behind his wife, Epsie, and his many friends, including all those who joined him in worship at New Covenant Baptist Church, where Mr. McCleese served as a Deacon, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes and honors the extraordinary life, remarkable career, and invaluable civic service of Ray D. McCleese, and expresses its heartfelt condolences to his family on the occasion of his recent passing.

—SR 2808 was introduced, read and adopted by publication.

## BILLS ON THIRD READING

Consideration of **CS for SB 1164** was deferred.

**CS for SB 1986**—A bill to be entitled An act relating to public construction bonds; amending s. 255.05, F.S.; providing for a mandatory form for public construction bonds; providing an effective date.

—was read the third time by title.

On motion by Senator Sebesta, **CS for SB 1986** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

**SB 712**—A bill to be entitled An act relating to emergency lights on vehicles; amending ss. 316.2397, 316.2398, F.S.; revising penalties for showing or displaying certain lights; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **SB 712** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

**CS for CS for CS for SB 310**—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Child Abuse Prevention and Intervention license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was read the third time by title.

Senator Smith moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (784422)(with title amendment)**—On page 2, between lines 17 and 18, insert:

*(c) For the first 5 years in which the plate is issued, a maximum of 20 percent of the fees collected may be used for administrative costs directly associated with the operation of the marketing and promotion of the plate. Ten percent of the fees shall be allocated to the Children's Home Society of Florida and 10 percent shall be allocated to the Florida Network of Children's Advocacy Centers, Inc. Five years after the date the first license plate is issued, revenues from plate sales may not be used for marketing or promoting the license plate.*

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: placing limitations on the use of sale proceeds;

On motion by Senator Smith, **CS for CS for CS for SB 310** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Saunders
Atwater	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	Klein	Villalobos
Carlton	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—1

Dockery

**SB 488**—A bill to be entitled An act relating to probation or community control; amending s. 948.03, F.S.; providing requirements for measuring the distance from an offender's place of residence to a school, day care center, park, playground, or other place where children congregate for purposes of complying with a court-imposed condition prohibiting the offender from living within a specified distance from those facilities; providing an effective date.

—was read the third time by title.

On motion by Senator Villalobos, **SB 488** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

**SB 1162**—A bill to be entitled An act relating to taxation; reviving and reenacting s. 125.0104(7), F.S., as amended, and s. 192.0105, F.S.; abrogating a repeal of laws relating to the tourist development tax and the Florida Taxpayer's Bill of Rights notwithstanding a repeal scheduled under s. 11, ch. 2000-312, Laws of Florida; providing an effective date.

—was read the third time by title.

Senator Haridopolos moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (674966)(with title amendment)**—On page 1, lines 13-21, delete those lines and insert:

Section 1. Notwithstanding the provisions of section 11 of chapter 2000-312, Laws of Florida, subsection (7) of section 125.0104, Florida Statutes, shall not stand repealed on October 1, 2005, as scheduled by such law, but that subsection, as amended by section 14 of chapter 2001-252, Laws of Florida, is revived and reenacted, and paragraph (b) of subsection (5) of that section is amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(5) AUTHORIZED USES OF REVENUE.—

(b) Tax revenues received pursuant to this section by a county of less than 750,000 600,000 population imposing a tourist development tax may only be used by that county for the following purposes in addition to those purposes allowed pursuant to paragraph (a): to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more zoological parks, fishing piers or nature centers which are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public. All population figures relating to this subsection shall be based on the most recent population estimates prepared pursuant to the provisions of s. 186.901. These population estimates shall be those in effect on July 1 of each year.

(7) AUTOMATIC EXPIRATION ON RETIREMENT OF

And the title is amended as follows:

On page 1, line 8, after the semicolon (;) insert: expanding the threshold for counties eligible for optional uses of tax proceeds;

On motion by Senator Pruitt, **SB 1162** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

**CS for SB 1958**—A bill to be entitled An act relating to road designations; designating Steven Cranman Boulevard, Ethel Beckford Boulevard, Phicol Williams Boulevard, Arthur Mays Boulevard, and Judge Steve Levine Boulevard in Miami-Dade County; directing the Department of Transportation to erect suitable markers; designating “Tous-saint L'Ouverture Boulevard” in Miami-Dade County; designating Darce Taylor Crist Highway in New Port Richey; providing an effective date.

—as amended April 8 was read the third time by title.

On motion by Senator Bullard, **CS for SB 1958** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Crist	Lawson
Alexander	Dawson	Lee
Argenziano	Diaz de la Portilla	Lynn
Aronberg	Dockery	Margolis
Atwater	Fasano	Miller
Bennett	Garcia	Peaden
Bullard	Geller	Posey
Campbell	Haridopolos	Pruitt
Carlton	Hill	Saunders
Constantine	Jones	Sebesta
Cowin	Klein	Siplin

Smith  
Villalobos

Wasserman Schultz  
Webster

Wilson  
Wise

Nays—None

**SB 2082**—A bill to be entitled An act relating to the disposition of fetal remains; creating s. 383.33625, F.S.; providing a popular name; providing that where a health practitioner has custody of fetal remains following a spontaneous fetal demise, the health practitioner must notify the mother of her option of burial or cremation of the fetal remains; providing requirements with respect to notification; directing the Department of Health to develop forms for health practitioners; providing that where a facility has custody of fetal remains following a spontaneous fetal demise, the facility must notify the mother of her option of burial or cremation of the fetal remains; directing the Agency for Health Care Administration to develop forms for facilities; providing an effective date.

—was read the third time by title.

**MOTION**

On motion by Senator Bennett, the rules were waived to allow the following amendment to be considered:

Senators Bennett and Wasserman Schultz offered the following amendment which was moved by Senator Bennett and adopted by two-thirds vote:

**Amendment 1 (263958)(with title amendment)**—On page 2, lines 1-19, delete those lines and insert: *spontaneous fetal demise occurring after a gestation period of less than 20 completed weeks must notify the mother of her option to arrange for the burial or cremation of the fetal remains, as well as the procedures provided by general law. Notification may also include other options such as, but not limited to, a ceremony, a certificate, or common burial of the fetal remains.*

(3) *The Department of Health shall adopt rules to develop forms to be used for notifications and elections by the health care practitioner, and the health care practitioner shall provide the forms to the mother.*

(4) *A facility licensed pursuant to chapter 383 or chapter 395 having custody of fetal remains following a spontaneous fetal demise occurring after a gestation period of less than 20 completed weeks must notify the mother of her option to arrange for the burial or cremation of the fetal remains, as well as the procedures provided by general law. Notification may also include other options such as, but not limited to, a ceremony, a certificate, or common burial of the fetal remains.*

(5) *If the mother chooses the option of using the procedures provided by general law, the facility or health care practitioner in custody of fetal remains shall follow the procedures set forth in general law.*

(6) *The Agency for Health Care Administration shall*

And the title is amended as follows:

On page 1, delete line 16 and insert: cremation of the fetal remains, as well as procedures pertaining thereto; directing the

On motion by Senator Webster, **SB 2082** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Crist	Lawson
Alexander	Dawson	Lee
Argenziano	Diaz de la Portilla	Lynn
Aronberg	Dockery	Margolis
Atwater	Fasano	Miller
Bennett	Garcia	Peaden
Bullard	Geller	Posey
Campbell	Haridopolos	Pruitt
Carlton	Hill	Saunders
Constantine	Jones	Sebesta
Cowin	Klein	Siplin

Smith  
Villalobos  
Nays—None

Wasserman Schultz  
Webster

Wilson  
Wise

Lynn  
Margolis  
Miller  
Peaden  
Posey

Pruitt  
Saunders  
Sebesta  
Siplin  
Smith

Villalobos  
Wasserman Schultz  
Webster  
Wilson  
Wise

**CS for SB 1164**—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S., the “Bert J. Harris, Jr., Private Property Rights Protection Act”; providing for the state land planning agency to receive notice of claims; amending procedures for determining a governmental entity’s final decision identifying the allowable uses for a property; providing that enactment of a law or adoption of a regulation does not constitute applying the law or regulation; providing for a waiver of sovereign immunity for liability; providing legislative findings with respect to loss of property values due to the proximity of a regional water reservoir; authorizing a cause of action for a property owner; specifying a period during which a property owner may present a claim for compensation to the governmental entity that constructs, operates, and maintains the reservoir; providing for future repeal of the act; providing requirements for the offer of compensation by a governmental entity; providing for judicial review under the Bert J. Harris, Jr., Private Property Rights Protection Act; providing for an award of costs and attorney’s fees; providing an effective date.

—as amended April 8 was read the third time by title.

On motion by Senator Pruitt, **CS for SB 1164** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Campbell	Jones	Villalobos
Carlton	Klein	Wasserman Schultz
Constantine	Lawson	Webster
Cowin	Lee	Wilson
Crist	Lynn	Wise
Dawson	Miller	

Nays—1

Margolis

Vote after roll call:

Yea to Nay—Wasserman Schultz

**CS for SB 266**—A bill to be entitled An act relating to water control districts; amending s. 298.54, F.S.; providing for apportionment of maintenance taxes on the basis of subsequent improvements; providing for apportioning such taxes equally to equally benefitted acres; creating s. 298.675, F.S.; limiting liability of water control districts for injuries resulting from third-party use of district lands, rights-of-way, works, or easements for specified activities, facilities, and purposes; providing an effective date.

—was read the third time by title.

On motion by Senator Pruitt, **CS for SB 266** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Carlton	Garcia
Alexander	Constantine	Geller
Argenziano	Cowin	Haridopolos
Aronberg	Crist	Hill
Atwater	Dawson	Jones
Bennett	Diaz de la Portilla	Klein
Bullard	Dockery	Lawson
Campbell	Fasano	Lee

Nays—None

**SB 1648**—A bill to be entitled An act relating to the collecting of blood and biological specimens by the Department of Law Enforcement; amending s. 948.03, F.S.; requiring that each sex offender placed on probation or community control submit an approved biological specimen to be registered with the DNA data bank; amending s. 943.325, F.S.; requiring that, in addition to a blood specimen, an approved biological specimen be collected from a person convicted of specified offenses who is incarcerated or in the custody of the Department of Juvenile Justice; providing for collection of specimens; requiring that the sheriff secure, process, and transfer to the Department of Law Enforcement the blood and biological specimens collected from persons who are not incarcerated; providing an effective date.

—was read the third time by title.

On motion by Senator Villalobos, **SB 1648** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

**SB 1670**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; repealing the exemption for ostrich feed; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **SB 1670** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	Klein	Villalobos
Carlton	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

Vote after roll call:

Nay—Haridopolos

**SB 1696**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; repealing s. 212.031(9), F.S.; repealing the exemption from the tax on rental or license fees for the use of real property which applies to charges for the rental, lease, sublease, or license for the use of a skybox, luxury box, or other box seats during a high school or college football game; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **SB 1696** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	Klein	Villalobos
Carlton	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

Vote after roll call:

Nay—Haridopolos

**SB 1272**—A bill to be entitled An act relating to chop shops; amending s. 812.16, F.S.; including airbags and airbag assemblies within the definition of the term “major component part” for purposes of provisions prohibiting the operation of a chop shop and authorizing the seizure and forfeiture of parts and vehicles; providing an effective date.

—was read the third time by title.

On motion by Senator Webster, **SB 1272** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peadar
Argenziano	Fasano	Posey
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Campbell	Jones	Villalobos
Carlton	Klein	Wasserman Schultz
Constantine	Lawson	Webster
Cowin	Lee	Wilson
Crist	Lynn	Wise
Dawson	Margolis	

Nays—None

Vote after roll call:

Yea—Pruitt

**HB 287**—A bill to be entitled An act relating to specialty license plates; creating s. 320.08068, F.S.; creating a specialty license plate for motorcycles; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—as amended April 8 was read the third time by title.

On motion by Senator Wise, **HB 287** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peadar
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bennett	Haridopolos	Sebesta
Bullard	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Constantine	Lawson	Wasserman Schultz
Cowin	Lee	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

## SPECIAL ORDER CALENDAR

On motion by Senator Alexander—

**SB 1430**—A bill to be entitled An act relating to the tax on gross receipts for utility and communications services; amending s. 203.01, F.S.; excluding gross receipts from sales of manufactured gas to certain utilities from the term “gross receipts” for certain purposes; providing an effective date.

—was read the second time by title.

The Committee on Finance and Taxation recommended the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (052626)(with title amendment)**—On page 2, between lines 15 and 16, insert:

Section 2. Paragraph (a) of subsection (4) of section 166.231, Florida Statutes, is amended to read:

166.231 Municipalities; public service tax.—

(4)(a) The purchase of natural gas, *manufactured gas*, or fuel oil by a public or private utility, either for resale or for use as fuel in the generation of electricity, or the purchase of fuel oil or kerosene for use as an aircraft engine fuel or propellant or for use in internal combustion engines is exempt from taxation hereunder.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 7, after the semicolon (;) insert: amending s. 166.231, F.S.; exempting the purchase of manufactured gas for resale or for use as fuel in the generation of electricity from the public service tax;

Pursuant to Rule 4.19, **SB 1430** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Villalobos—

**CS for CS for SB 1184**—A bill to be entitled An act relating to the judicial branch of government; amending s. 27.02, F.S.; requiring the state attorney to provide discovery materials to a defendant; providing for fees to be charged unless the defendant is indigent; amending s. 27.15, F.S.; providing for payment of expenses for a state attorney to assist in another circuit; amending ss. 27.34 and 27.54, F.S.; prohibiting counties or municipalities from funding the state attorneys’ offices for prosecution of violations of special laws or ordinances; eliminating provisions authorizing the use of funds for certain civil and criminal proceedings; eliminating provisions requiring counties to provide certain services and pay certain fees, expenses, and costs incurred by the state attorney or public defender; amending s. 27.3455, F.S., relating to the annual statement of revenues and expenditures; conforming provisions to changes made by the act; amending s. 27.51, F.S., relating to duties of the public defender; specifying additional indigent persons for whom

the public defender is required to secure representation; deleting provisions relating to limitations on representation by public defenders in direct appeals of death penalty cases; amending s. 27.53, F.S.; providing criteria for determining whether a conflict of interest exists; prohibiting withdrawal based solely on lack of funding or excess workload; providing that circuit indigent representation committees approve qualifications; amending s. 27.562, F.S.; providing that certain funds must be remitted to the state, not to counties; amending s. 27.58, F.S.; providing for the administration of indigent representation services; redesignating certain public defender services as indigent representation services; amending s. 28.24, F.S., relating to service charges by clerks of the circuit court; directing the clerk of court to provide access to and copies of public records held by the clerk, without charge, to any judge or justice, state attorney, public defender, and certain court staff; amending s. 29.001, F.S.; defining the elements of the state courts system; providing for using state revenue to pay certain costs associated with those elements; specifying expenses that counties must pay; amending s. 29.002, F.S.; revising the basis for funding, to implement s. 14, Art. V of the State Constitution by a specified date; amending s. 29.004, F.S.; revising and expanding the list of elements of the state courts system; amending s. 29.005, F.S.; providing for funding state attorneys' offices and paying prosecution expenses from state revenues; providing for additional expenses; amending s. 29.006, F.S.; revising and expanding the list of elements of public defenders' offices; amending s. 29.007, F.S.; revising and expanding the list of elements of court-appointed counsel; providing for funding from state revenues; amending s. 29.008, F.S., relating to county funding of court-related functions; redefining terms; providing standards that facilities and communications systems and services must meet to qualify for funding; requiring that the integrated computer system be made capable of electronically exchanging certain data using specified means at certain levels by a specific date; providing for defining local requirements and adopting a budget therefor; amending s. 43.26, F.S.; redesignating the presiding judge of the circuit as the chief judge of the circuit; providing additional powers of the chief judge; creating s. 40.001, F.S.; specifying authority for the management of the jury system; clarifying duties as to administration and processing of jurors; providing authority to the clerks of the circuit courts to contract with the court for specified services for jury processing; amending s. 92.153, F.S.; providing maximum charges for documents produced pursuant to subpoenas or records request issued by the state attorney or the public defender; amending s. 925.035, F.S.; amending standards for attorneys who handle capital cases; revising procedures and provisions relating to their compensation; amending s. 925.036, F.S.; providing for the circuit indigent representation committee to fix the rate of compensation of certain appointed counsel; prescribing the qualifications of attorneys who represent indigent defendants; amending s. 925.037, F.S.; providing for the composition, staff, responsibilities, and funding of circuit indigent representation committees; requiring the preparation and distribution of a statewide comparative budget report relating to circuit indigent representation committees by the Justice Administrative Commission; providing for the appropriation of funds for attorney's fees and expenses in criminal conflict cases and in child dependency cases and other court-appointed attorney cases; providing that the transfer of the funding source for the state courts system shall not affect the validity of pending proceedings; providing that the entity responsible for providing appropriations after July 1, 2004, shall be the successor in interest to existing contracts; providing that the successor in interest to existing contracts is not responsible for funding or payment of any service rendered prior to July 1, 2004; amending s. 43.35, F.S.; redesignating witness coordinating offices as witness coordinating programs; providing for circuit courts, rather than court administrators, to establish such programs; authorizing a judge or justice to perform any judicial act on any day of the week; repealing ss. 27.005, 27.006, 27.385, 27.52(1)(a), 29.011, 40.02(3), F.S., relating to definitions, court reporting services, budget expenditures, determination of indigency for purposes of appointing a public defender or conflict attorney, a pilot project, and the selection of jury lists; reenacting s. 943.053, F.S., relating to the dissemination of criminal justice information, to incorporate the amendments to ss. 27.51 and 27.53, F.S.; requiring a report on costs of court-related services provided by the counties; providing specific requirements; providing for reimbursement of certain expenses; providing an appropriation; providing effective dates.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

**Amendment 1 (150876)(with title amendment)**—On page 61, between lines 8 and 9, insert:

Section 30. Subsection (1) of section 25.073, Florida Statutes, is amended to read:

25.073 Retired justices or judges assigned to temporary duty; additional compensation; appropriation.—

(1) For purposes of this section, the term “retired justice” or “retired judge” means any former justice or judge who:

(a) Has not been defeated in seeking reelection to, or has not failed to be retained in seeking retention in, his or her last judicial office *or was not defeated when last seeking election to judicial office*; and

(b) Is not engaged in the practice of law.

And the title is amended as follows:

On page 5, line 16, after the semicolon (;) insert: amending s. 25.073, F.S.; revising a definition for purposes of retired judges or justices assigned to temporary duty;

Pursuant to Rule 4.19, **CS for CS for SB 1184** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lee, by two-thirds vote **HB 1017** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Lee—

**HB 1017**—A reviser's bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2003 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2003 shall be effective immediately upon publication; providing that general laws enacted during the April 29-May 13, 2002, special session and prior thereto and not included in the Florida Statutes 2003 are repealed; providing that general laws enacted during the 2003 regular session are not repealed by this adoption act.

—a companion measure, was substituted for **SB 578** and read the second time by title.

Pursuant to Rule 4.19, **HB 1017** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

**CS for CS for SB's 1334, SB 534 and SB 360**—A bill to be entitled An act relating to school readiness programs; implementing s. 1(b) and (c), Art. IX of the State Constitution; creating the voluntary universal prekindergarten education program within the Agency for Workforce Innovation; limiting the application of provisions relating to school readiness programs; requiring the State Board of Education to submit a report with recommendations on the curriculum, design, and standards of the voluntary universal prekindergarten education program; directing the Office of Program Policy Analysis and Government Accountability and the Auditor General to conduct audits and submit reports to the Governor and Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB's 1334, SB 534 and SB 360** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett—

**CS for SB 738**—A bill to be entitled An act relating to worthless checks; amending s. 68.065, F.S.; revising provisions relating to notice requirements in collection actions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 738** was placed on the calendar of Bills on Third Reading.



On motion by Senator Geller—

**SB 82**—A bill to be entitled An act relating to the offense of stalking; amending s. 784.048, F.S.; defining the term “cyberstalking” to mean communication by means of electronic mail or electronic communication which causes substantial emotional distress and does not serve a legitimate purpose; including within the offenses of stalking and aggravated stalking the willful, malicious, and repeated cyberstalking of another person; providing penalties; revising the elements of the offense of aggravated stalking to include placing a person in fear of death or bodily injury of the person or the person’s child, sibling, spouse, parent, or dependent; reenacting ss. 775.084(1)(d), 790.065(2)(c), 921.0022(3)(f) and (g), and 960.001(1)(b), F.S., to incorporate the amendment to s. 784.048, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 82** was placed on the calendar of Bills on Third Reading.

On motion by Senator Webster—

**SB 2142**—A bill to be entitled An act relating to biomedical research; creating s. 215.5605, F.S.; creating the Center for Universal Research to Eradicate Disease; providing intent and duties; creating an advisory council; amending s. 215.5602, F.S.; expanding the long-term goals and funding of the Florida Biomedical Research Program to include the cure of specified diseases; providing an effective date.

—was read the second time by title.

Senator Webster moved the following amendments which were adopted:

**Amendment 1 (180638)(with title amendment)**—On page 1, lines 14-16, delete those lines and insert:

Section 1. *Center for Universal Research to Eradicate*

And the title is amended as follows:

On page 1, delete line 3 and insert: creating the Center

**Amendment 2 (615340)**—On page 3, lines 7 and 8, delete those lines and insert: *ensure an adequate supply of adult stem cells or cord blood.*

Senator Webster moved the following amendment:

**Amendment 3 (345874)**—On page 3, lines 20 and 21, delete those lines and insert: *that encourage voluntary donations of cord blood or other adult needed tissue.*

## MOTION

On motion by Senator Webster, the rules were waived to allow the following amendment to be considered:

Senator Webster moved the following substitute amendment which was adopted:

**Amendment 4 (490798)**—On page 3, lines 20 and 21, delete those lines and insert: *that encourage voluntary donations of cord blood or other needed adult tissue.*

## MOTION

On motion by Senator Fasano, the rules were waived to allow the following amendment to be considered:

Senator Fasano moved the following amendment:

**Amendment 5 (420572)(with title amendment)**—On page 6, between lines 2 and 3, insert:

Section 3. *Florida Cancer Research Cooperative.*—

(1) *Effective July 1, 2003, the Florida Cancer Research Cooperative is established for the purpose of making the State of Florida a center of excellence for cancer research.*

(2)(a) *A not-for-profit corporation, acting as an instrumentality of the Florida Dialogue on Cancer, shall be organized for the purpose of governing the affairs of the cooperative.*

(b) *The Florida Cancer Research Cooperative, Inc., may create not-for-profit corporate subsidiaries to fulfill its mission. The not-for-profit corporation and its subsidiaries are authorized to receive, hold, invest, and administer property and any moneys acquired from private, local, state, and federal sources, as well as technical and professional income generated or derived from the mission-related activities of the cooperative.*

(c) *The affairs of the not-for-profit corporation shall be managed by a board of directors which shall consist of:*

1. *The Secretary of the Department of Health;*
  2. *The Chief Executive Officer of the H. Lee Moffitt Cancer Center;*
  3. *The President of the University of Florida Shands Cancer Center;*
  4. *The Chief Executive Officer of the University of Miami Sylvester Comprehensive Cancer Center;*
  5. *The Chief Executive Officer of the Mayo Clinic, Jacksonville;*
  6. *The Chief Executive Officer of the American Cancer Society, Florida Division;*
  7. *The President of the American Cancer Society, Florida Division Board of Directors;*
  8. *The President of the Florida Society of Clinical Oncology;*
  9. *The Chief Executive Officer of Enterprise Florida, Inc.;*
  10. *Three representatives from large Florida hospitals or institutions, not delineated in subparagraphs 1. through 6., that treat a large volume of cancer patients. One shall be appointed by the Governor, one shall be appointed by the Speaker of the House of Representatives, and one shall be appointed by the President of the Senate;*
  11. *Three representatives from community-based, statewide organizations serving populations that experience cancer disparities, one of whom shall be appointed by the Governor, one of whom shall be appointed by the Speaker of the House of Representatives, and one of whom shall be appointed by the President of the Senate;*
  12. *One member of the Florida House of Representatives, to be appointed by the Speaker of the House of Representatives;*
  13. *One member of the Florida Senate, to be appointed by the President of the Senate;*
  14. *Three university presidents, one of whom shall be appointed by the Governor, one of whom shall be appointed by the Speaker of the House of Representatives, and one of whom shall be appointed by the President of the Senate;*
  15. *Five representatives from other statewide public health organizations whose missions include public education and the eradication of cancer, three of whom shall be appointed by the Governor, one of whom shall be appointed by the Speaker of the House of Representatives, and one of whom shall be appointed by the President of the Senate.*
- (d) *Appointments made by the Speaker of the House of Representatives and the President of the Senate pursuant to paragraph (c) shall be for 2-year terms, concurrent with the bienniums in which they serve as presiding officers.*
- (e) *Appointments made by the Governor pursuant to paragraph (c) shall be for 2-year terms, although the Governor may reappoint directors.*
- (f) *Members of the board of directors of the not-for-profit corporation or any subsidiaries shall serve without compensation.*
- (3) *The cooperative shall issue an annual report to the Governor, the Speaker of the House of Representatives, and the President of the Senate, by December 15 of each year, with policy and funding recommendations regarding cancer research capacity in Florida and related issues.*

Section 4. *Florida Cancer Research Cooperative; mission and duties.*—

(1) *The cooperative shall develop and centralize the processes and shared services for expanding cancer research in Florida through:*

(a) *Support through bioinformatics, in order to create a cancer informatics infrastructure that enhances information and resource exchange and integration through researchers working in diverse disciplines to facilitate the full spectrum of cancer investigations;*

(b) *Technical coordination, business development, and support of intellectual property;*

(c) *Development of a statewide cancer clinical trials network as contemplated in section 1; and*

(d) *Other multidisciplinary research support activities.*

(2) *The cooperative shall work in concert with the Center for Universal Research to Eradicate Disease created in section 1 to ensure that the goals of the center are advanced.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 9, following the semicolon (;) insert: creating the Florida Cancer Research Cooperative; providing for a board of directors; providing the cooperative's mission and duties;

## MOTION

On motion by Senator Klein, the rules were waived to allow the following amendment to be considered:

Senator Klein moved the following substitute amendment which was adopted:

**Amendment 6 (364060)(with title amendment)**—On page 6, between lines 2 and 3, insert:

Section 3. *Florida Cancer Research Cooperative.*—

(1) *Effective July 1, 2003, the Florida Cancer Research Cooperative is established for the purpose of making the State of Florida a world class center for cancer research.*

(2)(a) *A not-for-profit corporation, acting as an instrumentality of the Florida Dialogue on Cancer, shall be organized for the purpose of governing the affairs of the cooperative.*

(b) *The Florida Cancer Research Cooperative, Inc., may create not-for-profit corporate subsidiaries to fulfill its mission. The not-for-profit corporation and its subsidiaries are authorized to receive, hold, invest, and administer property and any moneys acquired from private, local, state, and federal sources, as well as technical and professional income generated or derived from the mission-related activities of the cooperative.*

(c) *The affairs of the not-for-profit corporation shall be managed by a board of directors which shall consist of:*

1. *The Secretary of the Department of Health or his or her designee;*
2. *The Chief Executive Officer of the H. Lee Moffitt Cancer Center or his or her designee;*
3. *The President of the University of Florida Shands Cancer Center or his or her designee;*
4. *The Chief Executive Officer of the University of Miami Sylvester Comprehensive Cancer Center or his or her designee;*
5. *The Chief Executive Officer of the Mayo Clinic, Jacksonville or his or her designee;*
6. *The Chief Executive Officer of the American Cancer Society, Florida Division or his or her designee;*
7. *The President of the American Cancer Society, Florida Division Board of Directors or his or her designee;*

8. *The President of the Florida Society of Clinical Oncology or his or her designee;*

9. *The Chief Executive Officer of Enterprise Florida, Inc., or his or her designee;*

10. *Three representatives from large Florida hospitals or institutions, not delineated in subparagraphs 1. through 6., that treat a large volume of cancer patients. One shall be appointed by the Governor, one shall be appointed by the Speaker of the House of Representatives, and one shall be appointed by the President of the Senate;*

11. *Three representatives from community-based, statewide organizations serving populations that experience cancer disparities, one of whom shall be appointed by the Governor, one of whom shall be appointed by the Speaker of the House of Representatives, and one of whom shall be appointed by the President of the Senate;*

12. *One member of the Florida House of Representatives, to be appointed by the Speaker of the House of Representatives;*

13. *One member of the Florida Senate, to be appointed by the President of the Senate;*

14. *Three university presidents, one of whom shall be appointed by the Governor, one of whom shall be appointed by the Speaker of the House of Representatives, and one of whom shall be appointed by the President of the Senate; and*

15. *Five representatives from other statewide public health organizations whose missions include public education and the eradication of cancer, three of whom shall be appointed by the Governor, one of whom shall be appointed by the Speaker of the House of Representatives, and one of whom shall be appointed by the President of the Senate.*

(d) *Appointments made by the Speaker of the House of Representatives and the President of the Senate pursuant to paragraph (c) shall be for 2-year terms, concurrent with the bienniums in which they serve as presiding officers.*

(e) *Appointments made by the Governor pursuant to paragraph (c) shall be for 2-year terms, although the Governor may reappoint directors.*

(f) *Members of the board of directors of the not-for-profit corporation or any subsidiaries shall serve without compensation.*

(3) *The cooperative shall issue an annual report to the Governor, the Speaker of the House of Representatives, and the President of the Senate, by December 15 of each year, with policy and funding recommendations regarding cancer research capacity in Florida and related issues.*

Section 4. *Florida Cancer Research Cooperative; mission and duties.*—

(1) *The cooperative shall develop and centralize the processes and shared services for expanding cancer research in Florida through:*

(a) *Support through bioinformatics, in order to create a cancer informatics infrastructure that enhances information and resource exchange and integration through researchers working in diverse disciplines to facilitate the full spectrum of cancer investigations;*

(b) *Technical coordination, business development, and support of intellectual property;*

(c) *Development of a statewide cancer clinical trials network as contemplated in section 1; and*

(d) *Other multidisciplinary research support activities.*

(2) *The cooperative shall work in concert with the Center for Universal Research to Eradicate Disease created in section 1 to ensure that the goals of the center are advanced.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 9, following the semicolon (;) insert: creating the Florida Cancer Research Cooperative; providing for a board of directors; providing the cooperative's mission and duties;

Pursuant to Rule 4.19, **SB 2142** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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Consideration of **SB 2294** was deferred.

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On motion by Senator Wise, by two-thirds vote **HB 1739** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Wise, by two-thirds vote—

**HB 1739**—A bill to be entitled An act relating to access to postsecondary education; creating s. 1007.02, F.S., relating to access to postsecondary education and meaningful careers for students with disabilities; defining the term “student with a disability”; amending s. 1003.43, F.S., relating to high school graduation requirements; deleting requirement that the life management skills course be taken at specific grade levels; requiring the State Board of Education to adopt rules providing for test accommodations and modifications of procedures for students with disabilities; requiring the award of a standard diploma to a student with a disability who meets certain criteria; amending s. 1007.263, F.S., relating to admissions of students to community colleges; requiring admissions counseling for students entering career credit programs; requiring the use of certain tests; providing criteria for certain students to enroll in certificate career education programs; providing eligibility for reasonable substitutions for students with documented disabilities; amending s. 1007.264, F.S.; providing eligibility for reasonable substitutions for admission to postsecondary educational institutions for certain students with disabilities; creating s. 1007.265, F.S.; providing eligibility for reasonable substitutions for requirements for graduation, study program admission, and upper-division entry for certain students with disabilities; requiring the State Board of Education to adopt rules and develop substitute requirements; amending s. 1007.27, F.S.; requiring the State Board of Education to review and report on the use of acceleration mechanisms and grading practices, including the weighting of courses, for credit and admission; amending s. 1008.22, F.S., relating to student assessment for public schools; providing a cross reference; amending s. 1002.21, F.S.; correcting a cross reference; providing an effective date.

—a companion measure, was substituted for **SB 2576** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 1739** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Alexander—

**SB 2294**—A bill to be entitled An act relating to communications equipment property insurance; amending s. 626.321, F.S.; including certificates under a group master policy in an authorization to sell under a license; exempting certain communications equipment property insurance licensees from certain fingerprinting requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2294** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Margolis—

**SB 2190**—A bill to be entitled An act relating to continuing education for public adjusters; amending s. 626.869, F.S.; requiring continuing education for public adjusters; providing requirements; requiring the Office of Insurance Regulation to adopt rules; providing an effective date.

—was read the second time by title.

The Committee on Banking and Insurance recommended the following amendment which was moved by Senator Margolis and adopted:

**Amendment 1 (334324)(with title amendment)**—On page 2, line 18, delete “Office of Insurance Regulation” and insert: *Financial Services Commission*

And the title is amended as follows:

On page 1, line 6, delete “Office of Insurance Regulation” and insert: *Financial Services Commission*

Pursuant to Rule 4.19, **SB 2190** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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On motion by Senator Crist, by two-thirds vote **HM 209** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Crist, by two-thirds vote—

**HM 209**—A memorial to the Congress of the United States urging Congress to provide adequate federal funding for a full accounting of those missing from our nation’s wars, including any Florida resident who is classified as a United States Prisoner of War/Missing in Action (POW/MIA).

WHEREAS, the men and women of the United States Armed Forces are trained and dedicated to protect the security of our nation, and

WHEREAS, these men and women have devoted themselves to the task of protecting our lives and liberty as United States citizens, and

WHEREAS, all Americans derive inspiration from the sacrifices endured by members of the armed services during captivity as prisoners of war, and

WHEREAS, the courage of the families of those members of the Armed Services who remain missing or unaccounted for continues to be a great source of inspiration and admiration for all Americans, and

WHEREAS, Americans recognize the special debt of gratitude owed to those who have sacrificed their freedom in the service of our country, and

WHEREAS, as a reaffirmation of our commitment to the courageous families of these military personnel, the State of Florida pledges support to the Defense Prisoner of War/Missing Personnel Office within the Department of Defense, which is the federal agency charged to deal with the POW/MIA issue, and

WHEREAS, the State of Florida hopes to ensure that those who served and sacrificed for our nation are not forgotten and left on faraway shores by urging the Congress to continue their support of the Defense Prisoner of War/Missing Personnel Office of the Department of Defense and its activities, NOW, THEREFORE,

*Be It Resolved by the Legislature of the State of Florida:*

That the Congress of the United States is requested to provide the funds necessary for the Defense Prisoner of War/Missing Personnel Office of the Department of Defense and other Department of Defense agencies that play critical roles in achieving the fullest possible accounting of POW/MIA’s to continue their work unimpeded from budgetary constraints or reductions.

BE IT FURTHER RESOLVED that the State of Florida, through the Florida Department of Veterans’ Affairs, will continue working with the Defense Prisoner of War/Missing Personnel Office to assist in the identification of unlocated family members of any Florida resident classified as a United States POW/MIA, thereby enabling the Defense Prisoner of War/Missing Personnel Office to request that eligible family members provide a blood sample to keep on file in the event it is needed in the identification process.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—a companion measure, was substituted for **CS for SM 1472** and by two-thirds vote read the second time in full.

On motion by Senator Crist, **HM 209** was adopted and certified to the House.

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Consideration of **SM 1818** and **SM 1656** was deferred.

**SM 1180**—A memorial to the Congress of the United States, urging Congress to enact a Medicare Prescription Drug Benefit.

WHEREAS, the use of prescription drugs improves the quality of care and helps patients live healthier, longer, and more productive lives while keeping them out of more costly acute care settings in the long term, and

WHEREAS, the increased use of new and improved prescription drugs has changed the delivery of health care in the United States since Medicare was enacted, and while two-thirds of the Medicare population has some form of prescription drug coverage, although it many times is inadequate, one-third of Medicare beneficiaries have no coverage at all, and

WHEREAS, Congress did not enact a drug benefit in the Medicare program, and therefore the program is inadequate in providing the elderly and disabled the most appropriate drug therapies, preventing the delivery of quality health care at an affordable cost, and

WHEREAS, the private sector provides affordable coverage by negotiating discounts on drugs and meeting the needs of special populations with chronic diseases and those with co-morbidities through coordinating care with disease management, drug utilization review, and patient education programs, all of which aid in ameliorating medical errors, and

WHEREAS, comprehensive reform of the Medicare program would use the successful tools of the private sector in coordinating care for this population and use the marketplace to foster competition among private plans, resulting in more choices of quality coverage for seniors and the disabled while maintaining the financial sustainability of the program, and

WHEREAS, Congress's inaction has failed to provide for comprehensive reform of Medicare, encouraging states to use their own resources to ease the burden of their elderly and disabled populations and effectively to assume an unfunded, informal mandate, and

WHEREAS, in implementing state programs to assist the Medicare population, state budgetary constraints can often result in requirements to restrict and limit the patient's access to needed prescription drugs, and enact anticompetitive price controls, NOW, THEREFORE,

*Be It Resolved by the Legislature of the State of Florida:*

That the Congress of the United States is urged to enact financially sustainable, voluntary, universal, and privately administered outpatient prescription drug coverage as part of the federal Medicare program.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Peaden, **SM 1180** was adopted and certified to the House.

**CS for SM 1360**—A memorial to the Congress of the United States, urging Congress to grant without further delay Puerto Rico's pending petition for a federally sanctioned plebiscite to establish and define the political status and electoral rights of United States citizens of Puerto Rico.

WHEREAS, on December 10, 1898, the Treaty of Paris was signed by the United States, and on February 6, 1899, was ratified by the United States, formally concluding the Spanish-American War and establishing Puerto Rico as a territory of the United States, and

WHEREAS, on March 2, 1917, President Woodrow Wilson signed the Puerto Rican Federal Relations Act, otherwise known as the Jones Act, extending United States citizenship to citizens of Puerto Rico, but not authorizing them to qualify as candidates for office in the United States

Senate or in the United States House of Representatives, or for the office of President of the United States, and not authorizing them to vote for any such candidate, and

WHEREAS, since 1917, 200,000 people who are citizens of Puerto Rico have served valiantly as members of the United States Armed Services in every war and conflict in which the United States has been engaged in defense of democratic principles and the freedom of individuals to exercise their fundamental rights of self-determination, and

WHEREAS, four heroic Puerto Ricans, Hector Santiago-Colon, Euripides Rubio, Carlos James Lozada, and Luis Fernando Garcia, have been awarded the Congressional Medal of Honor for their valor in defending American ideals and freedoms, and

WHEREAS, the 3.8 million citizens of Puerto Rico have made many invaluable social, economic, and public service contributions to preserve, protect, and advance American ideals and freedoms, and

WHEREAS, a significant number of the citizens of the State of Florida originate from Puerto Rico and other Latin American countries, and many such citizens serve as our state's business, education, cultural, and public service leaders, and

WHEREAS, Florida's great history, including its ascension to statehood, is closely intertwined with a heritage derived from the many invaluable contributions made by Puerto Ricans and others of Latin American descent, and

WHEREAS, in 1997, the Legislature of Puerto Rico submitted a formal petition to the Congress of the United States asking that Congress respond to the many democratic aspirations of citizens of Puerto Rico by authorizing a federally sanctioned plebiscite to be held no later than 1998, but Congress has not yet acted on the petition, and

WHEREAS, it is long overdue that citizens of Puerto Rico be endowed with the political and electoral rights of full representative government that are exercised by other United States citizens, and

WHEREAS, the Florida Legislature urges all citizens of Florida and of all the other states and territories of the United States to support enactment of a federal law leading to full self-government for Puerto Rico, NOW, THEREFORE,

*Be It Resolved by the Legislature of the State of Florida:*

That the Congress of the United States is urged to act without further delay on Puerto Rico's pending petition by promptly enacting legislation establishing and defining the political status and electoral rights of citizens of Puerto Rico, and authorizing a plebiscite to provide an opportunity for such citizens to make an informed decision on the future political status of Puerto Rico.

BE IT FURTHER RESOLVED that a copy of this memorial be presented to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the Governor of Puerto Rico.

—was read the second time in full. On motion by Senator Klein, **CS for SM 1360** was adopted and certified to the House.

**SM 1818**—A memorial to the Congress of the United States, urging Congress to fully fund the Payment In Lieu Of Taxes Program for federally owned lands.

WHEREAS, the Federal Government and the nation benefit from federal acquisition of lands, and

WHEREAS, the citizens of the United States of America benefit from the continued expansion of federal lands for conservation, recreation, parks, wildlife preservation, and other national-interest purposes, and

WHEREAS, the natural characteristics and location of Florida's lands offer attractive expansions of current federal facilities and acquisition of new facilities, and

WHEREAS, current federal payments authorized under the Payment in Lieu of Taxes Act are dependent upon annual appropriations by Congress, and

WHEREAS, on average, Congress has funded the Payment in Lieu of Taxes Program at less than the full amount, and

WHEREAS, Florida's local governments could have received \$10.4 million in addition to the \$10.5 million they received between 1998 and 2002, and

WHEREAS, federal as well as state and local communities benefit from the range and quality of services local governments provide, and

WHEREAS, the continuation of range and quality of local government services is dependent upon the overall continued fiscal health of Florida's local governments, NOW, THEREFORE,

*Be It Resolved by the Legislature of the State of Florida:*

That the Congress of the United States is encouraged to fully fund the Payment In Lieu of Taxes Program established under the Payment in Lieu of Taxes Act of 1976.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Lynn, **SM 1818** was adopted and certified to the House.

On motion by Senator Wise, by two-thirds vote **HM 429** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Wise, by two-thirds vote—

**HM 429**—A memorial to the Congress of the United States, urging Congress to take all actions necessary to resolve the fate of Captain M. Scott Speicher.

WHEREAS, the Armed Forces of the United States fought admirably, bravely, and successfully during Operation Desert Storm, and

WHEREAS, M. Scott Speicher, then a lieutenant commander and now a captain in the United States Navy, flew a Navy FA-18 in a bombing mission over Iraq on January 17, 1991, and

WHEREAS, then-Lieutenant Commander Speicher failed to return to his carrier following that mission and was erroneously declared killed in action, and

WHEREAS, since that time, intelligence has determined that Captain Speicher ejected from his aircraft, and

WHEREAS, in January 2001, in an unprecedented action, Captain Speicher's designation was changed from "Killed in Action" to "Missing in Action," and

WHEREAS, the former executive chairman of the United Nations Special Commission, a renowned expert on Iraq, testified before the United States Senate in July 2002 that "we should not give up" on Captain Speicher, and

WHEREAS, in October 2002, based upon intelligence confirming that he had been taken captive by the Iraqi government, Captain Speicher's designation was changed from "MIA" to "MIA-Captured," and further intelligence reports make it clear that Iraq is in a position to resolve questions regarding Captain Speicher's fate, and

WHEREAS, this nation has pledged to the members of our armed services that they will not be abandoned, and the State of Florida renews that pledge to Captain Speicher, NOW, THEREFORE,

*Be It Resolved by the Legislature of the State of Florida:*

That the Congress of the United States is requested to take all actions necessary to resolve the fate of Captain M. Scott Speicher, United States Navy, MIA-Captured.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the

United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—a companion measure, was substituted for **SM 1728** and by two-thirds vote read the second time in full.

On motion by Senator Wise, **HM 429** was adopted and certified to the House.

#### CO-SPONSORS

On motion by Senator Wise, all Senators voting yea, not previously shown as co-sponsors, were recorded as co-sponsors of **SM 1728**.

The vote was:

Yeas—40

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Campbell	Jones	Villalobos
Carlton	Klein	Wasserman Schultz
Clary	Lawson	Webster
Constantine	Lee	Wilson
Cowin	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

**SM 1170**—A memorial to the Congress of the United States, expressing solidarity with Israel in its fight against terrorism.

WHEREAS, the ongoing threat of terrorism since September 11, 2001, has harmed the economies of Florida and the United States; damaging tourism and travel among the states and creating a negative economic atmosphere hurting business and producing job losses, and

WHEREAS, the ongoing threat of worldwide terrorism at home and abroad has forced local, state, and federal resources in the United States to be diverted from other critical domestic programs for the purpose of enhancing public security, and

WHEREAS, the United States and Israel are now engaged in a common struggle against terrorism and are on the front-lines of a conflict thrust upon them against their will, and

WHEREAS, hundreds of innocent Israelis and Palestinians have died tragically in violence since September 2000, and

WHEREAS, Palestinian organizations are engaging in an organized, systematic, and deliberate campaign of terror aimed at inflicting as many casualties as possible on the Israeli population, including through the use of suicide terrorist attacks, and

WHEREAS, Israel has lost nearly 700 innocent lives, which as a percentage of population is commensurate with America losing over 30,000 lives in the terrorist attacks on New York and Washington on September 11, 2001, and

WHEREAS, Yasser Arafat and members of the Palestinian leaders have failed to abide by their commitments to nonviolence made in the Israel-PLO Declaration of Principles (the Oslo Accord) of September 1993, including their pledges to adhere strictly to a peaceful resolution of the conflict; to resolve all outstanding issues relating to permanent status through negotiations; to renounce the use of terrorism and other acts of violence; and to assume responsibility over all PLO elements and personnel in order to assure their compliance with the commitment to nonviolence, prevent violence, and discipline violators, and

WHEREAS, the continued terrorism and incitement committed, supported, and coordinated by official arms of the Palestinian Authority are a direct violation of these commitments, and

WHEREAS, forces directly under Yasser Arafat's control, particularly, the al-Aqsa Martyrs Brigades, which is part of Arafat's Fatah organization and has been designated a Foreign Terrorist Organization by the United States Government, have murdered scores of innocent Israelis, and

WHEREAS, Yasser Arafat was directly involved in the Palestinian Authority's thwarted attempt to obtain 50 tons of offensive weapons shipped from Iran in the Karine-A, an effort that irrefutably proved Arafat's embrace of the use and escalation of violence, and

WHEREAS, documents from the offices of the Palestinian Authority demonstrate the crucial financial support the Palestinian Authority continues to provide for terrorist acts, including suicide bombers, and

WHEREAS, the ongoing violence has hurt the economics of both Israel and the Palestinian territories, damaging tourism in both regions, thereby creating a negative economic atmosphere hurting business and producing job losses, and

WHEREAS, President George W. Bush declared at a joint session of Congress on September 20, 2001, that "from this day forward any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime," and

WHEREAS, President Bush recently stated that he "fully understands Israel's need to defend herself" and that he "respects" the fact that Israelis have "seen a wave of suicide bombers coming to the heart of their cities and killing innocent people," and

WHEREAS, President Bush, in his speech of April 4, 2002, stated that "the situation in which Arafat finds himself today is largely of his own making," that Arafat "missed his opportunities, and thereby betrayed the hopes of the people he's supposed to lead," and that "given Arafat's failure, the Israeli government feels it must strike at terrorist networks that are killing its citizens," and

WHEREAS, Israel's military operations are an effort to defend itself against the unspeakable horrors of ongoing terrorism and are aimed only at dismantling the terrorist infrastructure in the Palestinian areas, an obligation Arafat himself undertook but failed to carry out, and

WHEREAS, Israel has made clear its intention to withdraw from Palestinian areas and has already begun to do so, NOW, THEREFORE,

*Be It Resolved by the Legislature of the State of Florida:*

That the Florida Legislature:

(1) Stands in solidarity with Israel as it takes necessary steps to provide security to its people by dismantling the terrorist infrastructure in the Palestinian areas;

(2) Remains committed to Israel's right to self-defense and supports additional United States assistance to help Israel defend itself;

(3) Condemns Palestinian suicide bombings;

(4) Condemns the ongoing support and coordination of terror by Yasser Arafat and other members of the Palestinian leadership;

(5) Demands that the Palestinian Authority at last fulfill its commitment to dismantle the terrorist infrastructure in the Palestinian areas, including any such infrastructure associated with PLO and Palestinian Authority entities tied directly to Yasser Arafat;

(6) Is gravely concerned that Arafat's actions are not those of a viable partner for peace;

(7) Urges all Arab states to declare their unqualified opposition to all forms of terrorism, particularly suicide bombing;

(8) Commends the President for his leadership in addressing the Israeli-Palestinian conflicts, particularly the efforts of the Administration to engage countries throughout the region to condemn and prevent terrorism and to prevent a widening of the conflict;

(9) Urges all parties in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East; and

(10) Will work as an elected body to promote tourism, economic trade, and cultural exchange with the State of Israel, keeping relations healthy now and into the future for the benefit of Florida and Israel.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Cowin, **SM 1170** was adopted and certified to the House.

**SM 1008**—A memorial to the Congress of the United States, urging Congress to adopt House Resolution 505, or similar legislation, to amend the Immigration and Nationality Act to provide for the adjustment of the status of alien children who arrive in the United States without their parents and to establish a panel of advisors to assist unaccompanied alien children in immigration proceedings.

WHEREAS, under current policy of the United States Immigration and Naturalization Service, certain minors coming into the United States are subject to being handcuffed, shackled, and even placed in solitary confinement, and

WHEREAS, House Resolution 505, the Alien Unaccompanied Minor Adjustment and Protection Act of 2001, would not only provide for a more humane treatment of certain minor alien children, but would also allow them to have access to family within the United States and provide them with legal assistance and guardians ad litem, and

WHEREAS, this act provides a means by which to assist these children who have dreamed of a better life and who have risked their lives to come to a country of freedom and opportunity, NOW, THEREFORE,

*Be It Resolved by the Legislature of the State of Florida:*

That the Congress of the United States is requested to amend the Immigration and Nationality Act and enact House Resolution 505, the Alien Unaccompanied Minor Adjustment and Protection Act of 2001, or similar legislation, to provide assistance to alien unaccompanied minor children in immigration proceedings.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full.

## MOTION

On motion by Senator Dawson, the rules were waived to allow the following amendment to be considered:

Senator Dawson moved the following amendment which was adopted:

**Amendment 1 (292884)(with title amendment)**—On page 1, lines 30 and 31, delete "House Resolution" and insert: H.R.

And the title is amended as follows:

On page 1, lines 3, 4 and 16, delete "House Resolution" and insert: H.R.

On motion by Senator Dawson, **SM 1008** as amended was adopted, ordered engrossed and then certified to the House.

## MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Villalobos, the rules were waived and the Committee on Judiciary was granted permission to add **SB 1782** to the agenda at the meeting on April 14.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Carlton, by two-thirds vote **SB 2394** was withdrawn from the committees of reference and further consideration.

On motion by Senator Saunders, by two-thirds vote **SB 1398** was withdrawn from the committees of reference and further consideration.

On motion by Senator Aronberg, by two-thirds vote **SB 532**, **SB 1624** and **SB 1226** were withdrawn from the committees of reference and further consideration.

On motion by Senator Lee, by two-thirds vote **CS for SB 232** and **CS for SB 2352** were withdrawn from the Committee on Judiciary; **SB 640** was withdrawn from the Committees on Appropriations Subcommittee on Transportation and Economic Development; and Appropriations; **CS for SB 1022** was withdrawn from the Committee on Appropriations; **SB 1066** was withdrawn from the Committees on Appropriations Subcommittee on Criminal Justice; and Appropriations; **SB 1214** was withdrawn from the Committee on Appropriations Subcommittee on Criminal Justice; **CS for SB 2492** was withdrawn from the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports; **CS for CS for SB 1480** was withdrawn from the Committee on Agriculture; **CS for SB 2672** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **CS for CS for SB 562 and SB 1912** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Rules and Calendar; **CS for CS for SB 560 and CS for SB 2080** was withdrawn from the Committees on Banking and Insurance; and Rules and Calendar; and **CS for CS for SB 564, SB 2120 and SB 2620** was withdrawn from the Committee on Rules and Calendar.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 10, 2003: **SB 1430**, **CS for CS for SB 1184**, **SB 578**, **CS for CS for SB's 1334**, **SB 534** and **SB 360**, **CS for SB 738**, **SB 82**, **SB 2142**, **SB 2294**, **SB 2576**, **SB 2190**, **CS for SM 1472**, **SM 1818**, **SM 1656**, **SM 1180**, **CS for SM 1360**, **SM 1728**, **SM 1170**, **SM 1008**

Respectfully submitted,  
*Tom Lee, Chair*

The Committee on Criminal Justice recommends the following pass: **SB 1806** with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: **CS for SB 1910**

**The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Criminal Justice under the original reference.**

The Committee on Criminal Justice recommends the following pass: **CS for SB 1854**

The Committee on Education recommends the following pass: **SB 614**, **SB 2626** with 1 amendment

**The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Education under the original reference.**

The Committee on Regulated Industries recommends the following pass: **SB 2032**

**The bill was referred to the Committee on Commerce, Economic Opportunities, and Consumer Services under the original reference.**

The Committee on Governmental Oversight and Productivity recommends the following pass: **SB 1812**

The Special Master on Claims recommends the following pass: **SB 36** with 1 amendment

**The bills contained in the foregoing reports were referred to the Committee on Comprehensive Planning under the original reference.**

The Committee on Children and Families recommends the following pass: **SB 2356**

The Committee on Education recommends the following pass: **CS for SB 606**

**The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

The Committee on Banking and Insurance recommends the following pass: **SB 2484**

The Committee on Education recommends the following pass: **SB 180** with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: **SB 330**, **CS for SB 1752**

The Committee on Health, Aging, and Long-Term Care recommends the following pass: **SB 1840**

**The bills contained in the foregoing reports were referred to the Committee on Finance and Taxation under the original reference.**

The Committee on Banking and Insurance recommends the following pass: **HB 739** with 1 amendment

The Committee on Criminal Justice recommends the following pass: **SB 2002**, **SB 2038**, **SB 2488**

The Committee on Education recommends the following pass: **SB 1536**

The Committee on Ethics and Elections recommends the following pass: **CS for SB 1004**

The Committee on Health, Aging, and Long-Term Care recommends the following pass: **CS for SB 338**

**The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.**

The Committee on Criminal Justice recommends the following pass: **SB 736**, **SB 1832**, **CS for SB 2210**, **SB 2474**, **SB 2476**

The Committee on Education recommends the following pass: **SB 210** with 1 amendment

The Committee on Ethics and Elections recommends the following pass: **SB 1440**, **SB 2644**

**The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

The Committee on Banking and Insurance recommends the following pass: **SB 610** with 2 amendments

The Committee on Ethics and Elections recommends the following pass: **SJR 612**

**The bills contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.**

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The Committee on Banking and Insurance recommends the following pass: SB 2450, SB 2466 with 2 amendments

The Committee on Ethics and Elections recommends the following pass: CS for SB 2114

**The bills contained in the foregoing reports were placed on the calendar.**

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The Committee on Health, Aging, and Long-Term Care recommends the following not pass: SB 1820

**The bill was laid on the table.**

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The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 2684

**The bill with committee substitute attached was referred to the Committee on Appropriations under the original reference.**

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The Committee on Judiciary recommends a committee substitute for the following: CS for SB 1020

**The bill with committee substitute attached was referred to the Appropriations Subcommittee on Criminal Justice under the original reference.**

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The Committee on Education recommends a committee substitute for the following: SB 1146

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 1914

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Education under the original reference.**

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The Committee on Children and Families recommends a committee substitute for the following: SB 1822

The Committee on Health, Aging, and Long-Term Care recommends committee substitutes for the following: SB 1582, SB 2312, SB 2390

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.**

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The Committee on Communication and Public Utilities recommends a committee substitute for the following: SB 654

The Committee on Education recommends a committee substitute for the following: SB 1896

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 1434

The Committee on Home Defense, Public Security, and Ports recommends a committee substitute for the following: SB 1616

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends a committee substitute for the following: SB 1954

The Committee on Transportation recommends a committee substitute for the following: SB 2070

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Transportation and Economic Development under the original reference.**

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The Committee on Comprehensive Planning recommends a committee substitute for the following: SB 1978

The Committee on Health, Aging, and Long-Term Care recommends committee substitutes for the following: SB 2234, SB 2678

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Banking and Insurance under the original reference.**

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The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 2686

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 1784

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Children and Families under the original reference.**

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The Committee on Communication and Public Utilities recommends a committee substitute for the following: SB 438

The Committee on Comprehensive Planning recommends committee substitutes for the following: CS for SB 1220, SB 1636

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Commerce, Economic Opportunities, and Consumer Services under the original reference.**

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The Committee on Children and Families recommends a committee substitute for the following: SB 1554

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 2186

The Committee on Transportation recommends committee substitutes for the following: SB 1720, SB 2110, SB 2128

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Comprehensive Planning under the original reference.**

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The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: SB 2438

The Committee on Health, Aging, and Long-Term Care recommends committee substitutes for the following: SB 1294, SB 1626

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

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The Committee on Comprehensive Planning recommends committee substitutes for the following: CS for SB 1450, CS for SB 2266, CS for SB's 2328 and 2252

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 30

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance and Taxation under the original reference.**

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The Committee on Children and Families recommends a committee substitute for the following: SB 1996

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: SB 1706

The Committee on Comprehensive Planning recommends committee substitutes for the following: Senate Bills 186 and 2528, SB 2334

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2228

The Committee on Health, Aging, and Long-Term Care recommends committee substitutes for the following: SB 2144, CS for SB 2216

The Committee on Home Defense, Public Security, and Ports recommends a committee substitute for the following: SB 2636

The Committee on Transportation recommends committee substitutes for the following: SB 1558, SB 2658

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.**

The Committee on Transportation recommends a committee substitute for the following: SB 2578

**The bill with committee substitute attached was referred to the Committee on Home Defense, Public Security, and Ports under the original reference.**

The Committee on Children and Families recommends committee substitutes for the following: SB 1834, SB 2568

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: SB 2362

The Committee on Comprehensive Planning recommends a committee substitute for the following: SB 1824

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2072

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 2132

The Committee on Transportation recommends a committee substitute for the following: SB 2416

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 462

**The bill with committee substitute attached was referred to the Committee on Rules and Calendar under the original reference.**

The Committee on Comprehensive Planning recommends a committee substitute for the following: SB 2550

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2430

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Transportation under the original reference.**

The Committee on Comprehensive Planning recommends committee substitutes for the following: SB 54, CS for SB 2152

The Committee on Education recommends committee substitutes for the following: SB 2156, SB 2170

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 1426, SB 2672

The Committee on Health, Aging, and Long-Term Care recommends committee substitutes for the following: CS for SB 340, SB 2020, SB 2078, SB 2618

The Committee on Transportation recommends committee substitutes for the following: SB 1994, SB 2630

**The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.**

## REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Criminal Justice recommends the following pass: SB 158, SB 246, SB 278

**The bills were referred to the Committee on Appropriations under the original reference.**

## REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Director, Office of Drug Control	Appointee: James R. McDonough	Pleasure of Governor
The Committee on Health, Aging, and Long-Term Care recommends that the Senate confirm the following appointments made by the Governor:		
<i>Office and Appointment</i>		<i>For Term Ending</i>
Secretary of Health Care Administration	Appointee: Rhonda M. Medows	Pleasure of Governor
Secretary of Elderly Affairs	Appointee: Terry F. White	Pleasure of Governor
Secretary of Health	Appointee: John O. Agwunobi	Pleasure of Governor

**[The appointments contained in the foregoing reports were referred to the Committee on Ethics and Elections under the original reference.]**

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By Senator Sebesta—

**SB 2708**—A bill to be entitled An act relating to motor vehicle manufacturers, distributors, importers, and dealers; amending s. 320.13, F.S.; clarifying provisions for use of dealer license plates; amending s. 320.60, F.S.; clarifying definition of “motor vehicle” and defining the terms “service” and “certified preowned vehicle” for purposes of specified provisions; amending s. 320.64, F.S.; prohibiting certain acts by licensee or applicant; amending s. 320.642, F.S.; revising provisions for evidence

that an area is adequately served; expanding grounds for protest of proposed additional or relocated motor vehicle dealer; amending s. 320.643, F.S.; revising provisions relating to transfer, assignment, or sale of franchise agreement; prohibiting rejection or withholding of approval by licensee; requiring condition be met to protect the licensee from liability; amending s. 320.644, F.S., relating to change in executive management; defining "executive management"; revising procedures for approval or rejection of change; specifying that termination of employment is not deemed a change under the section; prohibiting rejection or withholding of approval by licensee; providing conditions for rejection or withholding of approval by licensee; requiring condition be met to protect the licensee from liability; amending s. 320.695, F.S.; revising provisions relating to injunctive relief from violation of specified provisions regulating motor vehicle manufacturers, distributors, importers, and dealers; providing standing for described associations of dealers to seek injunctive relief; amending s. 320.699, F.S.; revising administrative hearing procedures for certain complaints; amending s. 501.976, F.S., relating to actionable, unfair, or deceptive acts or practices by a motor vehicle dealer; revising specifications for representation by dealer of vehicle as a demonstrator; amending s. 817.7001, F.S.; revising the definition of "credit service organization" to exclude specified motor vehicle dealers for purposes of provisions regulating such organizations; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Peadar—

**SB 2710**—A bill to be entitled An act relating to enterprise zones; amending s. 290.00698, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to approve a request to amend the boundaries of the enterprise zone designated for Okaloosa County; providing limitations; providing an effective date.

—was referred to the Committee on Comprehensive Planning.

By Senator Siplin—

**SB 2712**—A bill to be entitled An act relating to information and indictments; repealing s. 923.903, F.S., relating to the form of indictment and information; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Finance and Taxation; and Rules and Calendar.

By Senator Hill—

**SCR 2714**—A concurrent resolution renumbering current Joint Rule 8 and creating a new Joint Rule 8 of the Joint Rules of the Legislature relating to review of exemptions from sales and use tax and exclusions of sales of services from such taxation.

—was referred to the Committees on Finance and Taxation; Commerce, Economic Opportunities, and Consumer Services; Appropriations; and Rules and Calendar.

By Senator Hill—

**SB 2716**—A bill to be entitled An act relating to public records; amending s. 440.185, F.S.; reenacting the provision exempting from public-records requirements information in certain reports of injury or illness which would identify an ill or injured employee; removing the repeal of that provision which was scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Cowin—

**SB 2718**—A bill to be entitled An act relating to law enforcement; creating the Law Enforcement Agency Consolidation Task Force; providing for the appointment of members; providing for duties; providing for a report addressing the effects of the consolidation of all sworn law enforcement positions in the state; providing a freeze on management/administration positions; providing for future repeal; providing an effective date.

—was referred to the Committees on Criminal Justice; Home Defense, Public Security, and Ports; and Governmental Oversight and Productivity.

By Senator Cowin—

**SB 2720**—A bill to be entitled An act relating to public employees; providing a popular name; renumbering parts I, II, and IV of ch. 110, F.S., as parts I, II, and III of ch. 109, F.S.; repealing s. 110.1082, F.S., relating to use of telephone voice mail and menu options systems; amending and renumbering s. 110.1091, F.S.; requiring state agencies to provide a program to assist employees with specified problems; amending and renumbering s. 110.1099, F.S.; specifying duties of agency heads with respect to education and training opportunities for state employees; including courses at community colleges in such opportunities; revising responsibilities of employees granted educational leave; reenacting and renumbering s. 110.112, F.S.; amending and renumbering s. 110.113, F.S.; requiring all state employees to participate in the direct deposit program; revising conditions for requesting an exemption; amending and renumbering s. 110.123, F.S., relating to the state group insurance program; removing a prohibition against the contribution of state funds toward supplemental benefit plan premiums; directing the Department of Management Services to establish criteria to allow lower cost to employees if agencies require physical/health standards; amending and renumbering s. 110.12312, F.S.; providing for inclusion of supplemental benefit insurance in options offered to retired state employees; amending and renumbering s. 110.124, F.S.; increasing the age limit for provisions that provide relief for employees terminated solely because of age; providing that an employee who is terminated solely because of attaining such age may apply to the circuit court for relief if binding arbitration is not conducted; amending and renumbering s. 110.1245, F.S.; providing for a gain sharing program, with awards set by the Legislative Budgeting Commission; deleting certain limitations; amending and renumbering s. 110.131, F.S.; revising the time limitation on employment of other-personal-services temporary employees; requiring approval of the Governor's Office of Policy and Budget for extension of such limitation; revising exemptions from such limitation; amending and renumbering s. 110.1522, F.S.; including leave for employees with an elderly parent in family support personnel policies; creating s. 109.202, F.S.; deleting a requirement that a layoff be conducted within an identified competitive area; providing for appeals with respect to reductions in pay, transfers, layoffs, demotions, suspensions, or dismissals; providing the agency's burden of proof; providing requirements for the grievance process; providing for rules; amending and renumbering s. 110.233, F.S.; revising provisions relating to employees holding local public office; creating s. 109.240, F.S.; providing that any permanent career service employee may request binding arbitration administered by the Division of Human Resource Management upon notice of an adverse agency action; providing definitions; providing requirements for such requests; providing for notice to the agency; specifying the employer's burden of proof; providing for arbitrators and their qualifications and authority; providing duties of the division; providing for records; providing procedural requirements for arbitration proceedings; providing for rules; providing for application to the circuit court for an order enforcing, vacating, or modifying the arbitration decision; providing for immunity; creating s. 109.241, F.S.; providing for the appointment of peer review committees to hear employee appeals of adverse personnel actions; providing for selection of members; providing procedures for such appeals; providing a declaration of policy; amending and renumbering s. 110.203, F.S.; conforming a definition; revising the definitions of promotion, demotion, dismissal, suspension; creating s. 109.2035, F.S.; directing the Department of Management Services, in consultation with specified entities, to develop a model civil service classification and compensation program and providing requirements with respect thereto; repealing s. 110.205(2)(n), F.S., which allows department heads to designate certain positions as Selected Exempt Service or Senior Management Service; correcting cross-references, to conform; amending and

renumbering s. 110.211, F.S.; directing the department to develop uniform recruitment and selection rules to be used by employing agencies; revising requirements relating to recruitment literature; amending and renumbering s. 110.224, F.S.; revising requirements relating to a review and performance planning system and designating such system a review and performance evaluation system; revising requirements relating to certain information furnished to employees and employee evaluation; providing for biannual management performance reports; amending and renumbering s. 110.227, F.S.; providing that a career service employee may be suspended or dismissed for reasonable cause and specifying actions included thereunder; providing that rules regarding layoff shall include bumping; providing such employee's rights; providing authority of such committees; providing the department's burden of proof; authorizing remedial action if the action is not sustained; repealing ss. 110.401, 110.402, 110.403, 110.405, 110.406, 110.601, 110.602, 110.603, 110.604, 110.605, and 110.606, F.S., which create the Senior Management Service and Selected Exempt Service systems; amending and renumbering ss. 110.116, 110.117, 110.1227, 110.1228, 110.1232, 110.2037, 110.152, 110.15201, 110.1521, 110.1523, 110.161, 110.171, 110.191, 110.2037, 110.205, 110.219, and 110.502, F.S.; clarifying and conforming provisions and correcting cross-references; amending ss. 20.18, 20.21, 20.23, 20.255, 20.315, 24.105, 24.122, 63.097, 68.087, 104.31, 106.082, 106.24, 112.044, 112.0805, 112.313, 112.3189, 112.363, 121.021, 121.0515, 121.055, 121.35, 215.94, 216.011, 216.181, 216.251, 260.0125, 287.175, 295.07, 296.04, 296.34, 311.07, 338.2216, 339.175, 343.74, 373.6065, 381.00315, 381.85, 393.0657, 400.19, 400.953, 402.3057, 402.55, 402.731, 409.1757, 409.9205, 440.102, 443.171, 447.207, 456.048, 471.038, 509.036, 570.073, 570.074, 624.307, 627.0623, 627.6488, 627.649, 627.6498, 627.6617, 655.019, 943.0585, 943.059, 943.22, 943.61, 944.35, 945.043, 946.525, 957.03, 985.05, 985.4045, 1001.28, 1001.74, 1002.36, 1012.62, and 1012.96, F.S.; conforming provisions and correcting cross-references; amending s. 20.22, F.S.; creating the Division of Human Resource Management in the Department of Management Services; providing powers and duties of the Public Employees Relations Commission; directing the Department of Management Services to coordinate a transition plan; providing an appropriation; providing for a budget amendment; authorizing the Department of Management Services to adopt rules; providing effective dates.

—was referred to the Committees on Governmental Oversight and Productivity; Comprehensive Planning; Rules and Calendar; Appropriations Subcommittee on General Government; and Appropriations.

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#### Senate Resolutions 2722-2724—Not referenced.

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By Senator Argenziano—

**SB 2726**—A bill to be entitled An act relating to site rehabilitation of contaminated sites; creating s. 376.30701, F.S.; extending application of risk-based corrective action principles to all contaminated sites resulting from a discharge of pollutants or hazardous substances; providing for contamination cleanup criteria that incorporate risk-based corrective action principles to be adopted by rule; providing clarification that cleanup criteria do not apply to offsite relocation or treatment; providing the conditions under which further rehabilitation may be required; amending s. 199.1055, F.S.; clarifying who may apply for tax credits; clarifying time period for use of tax credits; amending s. 220.1845, F.S.; clarifying who may apply for tax credits; clarifying time period for use of tax credits; allowing taxpayers to claim credit on a consolidated return up to the amount of the consolidated group's tax liability; amending s. 376.30781, F.S.; clarifying who may apply for tax credits; converting tax credit application time period to calendar year; moving application deadline to January 15; clarifying that placeholder applications are prohibited; cross-referencing sections governing transferability of tax credits; eliminating outdated language; providing an effective date.

—was referred to the Committees on Natural Resources; and Finance and Taxation.

By Senator Hill—

**SB 2728**—A bill to be entitled An act relating to consumer credit; requiring credit card issuers to provide notice in billing statements regarding the pay-off of card balances; providing an effective date.

—was referred to the Committees on Commerce, Economic Opportunities, and Consumer Services; Banking and Insurance; and Finance and Taxation.

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By Senator Bennett—

**SB 2730**—A bill to be entitled An act relating to the Florida Building Code; amending s. 553.73, F.S.; providing code amendment criteria and review requirements; amending s. 553.79, F.S.; exempting truss placement plans from certain requirements; amending s. 553.80, F.S.; authorizing local governments to impose certain fees for code enforcement; providing requirements and limitations; amending s. 553.842, F.S.; revising requirements, procedures, and limitations relating to a product evaluation and approval system; deleting Florida Building Commission authority to adopt certain rules and enter into certain contracts to administer the product evaluation and approval system; deleting system criteria; deleting provisions relating to local or statewide approval of products or methods or systems of construction; deleting provisions relating to certifications by approved product evaluation entities, testing laboratories, or certification agencies; revising commission rulemaking authority; revising commission responsibilities; authorizing the commission to expedite adoption and implementation of the existing state building code as part of the Florida Building Code pursuant to limited procedures; requiring the commission to submit the building code adopted by the commission, with recommendations and revisions, to the Legislature for approval by a time certain; providing for repeal of certain local building code amendments; providing for readoption of such amendments as provided by law; providing requirements; providing an effective date.

—was referred to the Committees on Comprehensive Planning; and Finance and Taxation.

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#### Senate Resolutions 2732-2734—Not referenced.

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By Senator Saunders—

**SB 2736**—A bill to be entitled An act relating to land development regulation; amending s. 125.01, F.S.; prescribing duties of counties with respect to platted lands development and to community and environmental welfare; amending s. 163.3164, F.S.; redefining the term "land development regulations" and defining the term "land assembly or adjustment" for purposes of the Local Government Comprehensive Planning Act; amending s. 163.3202, F.S.; providing that land development regulations regulate land assembly or adjustment; providing for construction favoring land assembly or adjustment; amending s. 177.011, F.S.; prescribing legislative purpose of land assembly or adjustment with respect to platting requirements; amending s. 177.031, F.S.; redefining the term "subdivision" and defining the term "land assembly or adjustment" for purposes of regulation of platting; amending s. 177.101, F.S.; prescribing duties of local governments with respect to assembly or adjustment of certain subdivided lands; providing criteria for determining eligible lands; amending s. 380.031, F.S.; redefining the term "land development regulations" and defining the term "land assembly or adjustment" for purposes of land and water management; amending s. 28.222, F.S.; prescribing duties of the clerk of the court in recording certain documents relating to the transfer and to the subdivision of land; amending s. 177.091, F.S.; requiring the recording of approved subdivision plats; amending s. 177.111, F.S.; revising provisions relating to submission of an approved plat for recording; amending s. 498.033, F.S.; prescribing guidelines for recordation of an agreement for deed in the sale of subdivided lands; amending s. 695.01, F.S.; requiring specified land conveyance documents to be recorded; requiring that a copy of the approved plat be attached to certain documents when recorded; amending s. 695.22, F.S.; requiring the daily schedule of deeds and conveyances filed for recording to be furnished to the county and municipal planning departments; amending s. 696.01, F.S.; requiring recordation of specified instruments for the purchase or sale of real estate; requiring that

a copy of the approved plat be attached to such instruments when they are recorded; amending s. 697.01, F.S.; providing that contracts or agreements for deed will be deemed to be mortgages; providing an effective date.

—was referred to the Committees on Comprehensive Planning; Judiciary; and Governmental Oversight and Productivity.

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By Senator Saunders—

**SB 2738**—A bill to be entitled An act relating to public health; amending s. 17.41, F.S.; providing for funds from the tobacco settlement to be transferred to the Biomedical Trust Fund within the Department of Health Services and Community Health Resources and the Division of Health Awareness and Tobacco; amending s. 20.43, F.S.; establishing the Division of Disability Determinations within the Department of Health and renaming the Division of Emergency Medical Services and Community Health Resources and the Division of Health Awareness and Tobacco; amending s. 154.01, F.S.; providing for environmental health services to include investigations of elevated blood lead levels; authorizing the expenditure of funds for such investigations; creating s. 216.342, F.S.; authorizing the expenditure of funds in the United States Trust Fund for the operation of the Division of Disability Determinations; amending s. 381.0011, F.S.; revising duties of the department with respect to injury prevention and control; amending s. 381.004, F.S.; revising requirements for the release of HIV test results; amending s. 381.0065, F.S., relating to onsite sewage treatment and disposal systems; clarifying a definition; deleting obsolete provisions; amending s. 381.0066, F.S.; deleting a limitation on the period for imposing a fee on new sewage system construction; amending s. 381.0072, F.S.; clarifying provisions governing the authority of the department to adopt and enforce sanitation rules; creating s. 381.104, F.S.; authorizing state agencies to establish employee health and wellness programs; providing requirements for the programs; requiring the use of an employee health and wellness activity agreement form; requiring an evaluation and improvement process for the program; requiring the department to provide model program guidelines; creating s. 381.86, F.S.; creating the Review Council for Human Subjects within the Department of Health; providing duties and membership; providing for reimbursement for per diem and travel expenses; requiring the department to charge for costs incurred by the council for research oversight; providing an exception; requiring the department to adopt rules; amending s. 381.89, F.S.; revising the fees imposed for the licensure of tanning facilities; amending s. 381.90, F.S.; revising the membership of the Health Information Systems Council; revising the date for submitting an annual plan; amending s. 383.14, F.S.; clarifying provisions with respect to the screening of newborns; amending s. 384.25, F.S.; revising requirements for the reporting of sexually transmissible disease; requiring the department to adopt rules; amending s. 385.204, F.S.; revising requirements for the purchase and distribution of insulin by the department; amending s. 391.021, F.S.; redefining the term “children with special health care needs” for purposes of the Children’s Medical Services Act; amending s. 391.025, F.S.; revising applicability and scope of the act; amending s. 391.029, F.S.; revising requirements for program eligibility; amending s. 391.035, F.S.; authorizing the department to contract for services provided under the act; amending s. 391.055, F.S.; requiring the referral of a newborn having a certain abnormal screening result; creating s. 391.309, F.S.; establishing the Florida Infants and Toddlers Early Intervention Program; providing requirements for the department under the program; requiring certain federal waivers; amending s. 394.9151, F.S.; authorizing the Department of Children and Family Services to contract with the Correctional Medical Authority for medical quality assurance assistance at certain facilities; amending s. 395.404, F.S.; revising requirements for reports to the department concerning brain or spinal cord injuries; amending s. 401.113, F.S.; providing for the use of funds generated from interest on certain grant moneys; amending s. 401.211, F.S.; providing legislative intent with respect to a statewide comprehensive injury prevention program; creating s. 401.243, F.S.; providing duties of the department in operating the program; amending s. 401.27, F.S.; authorizing electronically submitted applications for certification or recertification as an emergency medical technician or a paramedic; revising requirements for an insignia identifying such person; requiring the screening of applicants through the Department of Law Enforcement; amending s. 401.2701, F.S., relating to emergency medical services training programs; requiring that students be notified of certain regulatory and screening requirements; requiring the department to adopt rules;

amending s. 401.2715, F.S.; providing for approval of continuing education courses; amending s. 401.414, F.S.; revising requirements for investigating complaints; amending s. 404.056, F.S.; revising requirements for mandatory testing of certain buildings and facilities for radon; amending s. 409.814, F.S.; revising eligibility for certain children to participate in the Healthy Kids program and the Medikids program; amending s. 456.055, F.S.; providing requirements for claims for services for chiropractic and podiatric health care; amending ss. 460.406, 463.006, and 467.009, F.S., relating to licensure; conforming provisions to changes made with respect to an accrediting agency; amending s. 468.302, F.S.; authorizing a nuclear medicine technologist to administer certain X radiation; amending ss. 468.509, 468.707, 486.031, and 486.102, F.S., relating to licensure; conforming provisions to changes made with respect to an accrediting agency; amending ss. 489.553 and 489.554, F.S.; revising certification requirements for septic tank contractors; authorizing an inactive registration; amending ss. 490.005 and 491.005, F.S., relating to licensure; conforming provisions to changes made with respect to an accrediting agency; amending s. 499.003, F.S.; redefining the term “compressed medical gas” for purposes of the Florida Drug and Cosmetic Act; amending s. 499.007, F.S.; revising requirements for labeling medicinal drugs; amending s. 499.01, F.S.; authorizing the department to issue a prescription drug manufacturer permit to a nuclear pharmacy that is a health care entity; amending s. 499.0121, F.S.; providing requirements for retaining inventories and records; transferring and renumbering s. 501.122, F.S., relating to the control of nonionizing radiations; amending s. 784.081, F.S.; providing for the reclassification of the offense of assault or battery if committed on an employee of the Department of Health or upon a direct services provider of the department; creating s. 945.6038, F.S.; authorizing the Correctional Medical Authority to contract with the Department of Children and Family Services to provide assistance in medical quality assurance at certain facilities; repealing s. 381.85, s. 381.0098(9), s. 385.103(2)(f), ss. 385.205 and 385.209, and s. 445.033(7), F.S.; relating to biomedical and social research, obsolete provisions concerning biomedical waste, rulemaking authority of the department, programs in kidney disease control, dissemination of information on cholesterol health risks, and an exemption for certain evaluations conducted by Workforce Florida, Inc.; providing an effective date.

—was referred to the Committees on Health, Aging, and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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By Senator Sebesta—

**SB 2740**—A bill to be entitled An act relating to public officers and employees; amending s. 112.313, F.S.; prohibiting a current or former public officer or employee from disclosing or using certain information for personal benefit or gain; providing that an agency employee whose position was transferred from the Career Service System to the Selected Exempt Service is exempt from certain restrictions placed on legislators and legislative employees; prohibiting an elected officer from representing another person or entity for compensation before an agency of which the individual was an officer or member for a specified period following vacation of office; amending s. 112.3144, F.S.; requiring that the amount reported on the statement of financial interests regarding assets or liabilities in excess of a certain amount held jointly with another person be based on the reporting individual’s percentage of ownership or liability; providing exceptions; amending s. 112.3145, F.S.; increasing the fine for the late filing of a statement of financial interests; changing the date by which each supervisor of elections must certify to the commission a list of all persons who have failed to timely file the required statement of financial interests; amending s. 112.3147, F.S.; deleting certain requirements for reporting financial assets and liabilities valued at a certain amount; amending ss. 112.3148 and 112.3149, F.S.; providing a due date for filing reports or statements with the Commission on Ethics by an individual who left office or employment during the calendar year; amending s. 112.317, F.S.; deleting a penalty imposed for disclosing an intent to file a complaint in connection with a confidential preliminary investigation of the commission; providing that restitution for violation of the code of ethics be paid to the public officer’s or employee’s agency or to the General Revenue Fund; providing that the Attorney General may collect costs and attorney’s fees for bringing an action for a violation of the code of ethics; amending s. 112.3185, F.S.; providing an exception to the prohibition against a retired or terminated employee having an employment or contractual relationship with a business entity that was

under contract with the employee's agency; requiring prior written approval by the agency head; prohibiting a retired or terminated employee from engaging in activities involving certain official matters on behalf of another person or entity; amending s. 112.3215, F.S.; requiring the Commission on Ethics to provide by rule grounds for waiving a fine assessed against a lobbyist who fails to timely file a report and procedures for appeal; amending s. 112.322, F.S.; providing that a witness who is required to travel outside the county of his or her residence is entitled to per diem and travel expenses; amending s. 914.21, F.S.; expanding the definition of the terms "official investigation" and "official proceeding" to include any investigation conducted by or proceeding before the Commission on Ethics; providing an effective date.

—was referred to the Committees on Criminal Justice; Ethics and Elections; Governmental Oversight and Productivity; Comprehensive Planning; and Rules and Calendar.

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By Senator Sebesta—

**SB 2742**—A bill to be entitled An act relating to the transportation disadvantaged; amending s. 427.011, F.S.; defining and redefining terms; amending s. 427.012, F.S.; revising membership of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; restating the purpose of the commission and revising its responsibilities; providing for a quality assurance program within the commission and for quality assurance standards; providing for an ombudsman program and ombudsman committee; providing for a uniform statewide competitive procurement process; providing for development of innovative approaches for the delivery of services to the transportation disadvantaged; promoting consumer choice; providing for a substance abuse program; amending s. 427.0135, F.S.; prescribing powers, duties, and functions of purchasing agencies; amending s. 427.015, F.S.; revising duties of metropolitan planning organizations and planning agencies with respect to services for the transportation disadvantaged; providing for public educational programs; amending s. 427.0155, F.S.; revising powers and duties of community transportation coordinators; prescribing additional elements that must be included in transportation operator contracts; amending s. 427.0157, F.S.; revising powers and duties of coordinating boards; requiring such boards to assist in public awareness and educational efforts and to assist community transportation coordinators; amending s. 427.0158, F.S.; revising information that must be maintained with respect to school buses used in transporting the transportation disadvantaged; amending s. 427.0159, F.S.; revising deposits to and uses of the Transportation Disadvantaged Trust Fund; amending s. 427.016, F.S.; revising guidelines for expenditure of funds; authorizing audits and review of records; providing an effective date.

—was referred to the Committees on Transportation; and Governmental Oversight and Productivity.

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By Senator Atwater—

**SB 2744**—A bill to be entitled An act relating to children in custody of the state; requiring the Department of Children and Family Services to enter into interagency agreements with public or private entities for delivery of services to children in care or custody or under the supervision of the department; requiring an agreement between the department and the Department of Education; requiring an agreement between the department and district school boards; specifying provisions of each agreement; requiring access to certain information; providing training components; providing an effective date.

—was referred to the Committees on Children and Families; and Education.

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By Senator Bennett—

**SB 2746**—A bill to be entitled An act relating to mold remediation; providing a short title; providing legislative purpose; providing the scope of the act; defining terms; providing registration requirements for mold assessment companies, mold assessment consultants, mold remediation companies, mold remediation contractors, and mold training providers; requiring training; providing application procedures; providing for fees;

providing qualifications for registration; providing for rules and orders of the Construction Industry Licensing Board; prohibiting the assignment of a registration; providing for replacement certificates; prohibiting performing more than one specified activity on a given project; providing for the Department of Business and Professional Regulation to issue reprimands and to modify, suspend, or revoke a registration; providing guidelines for disciplinary action; providing for rulemaking by the board and by the department; providing an effective date.

—was referred to the Committee on Regulated Industries.

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By Senator Peadar—

**SB 2748**—A bill to be entitled An act relating to mental health; amending s. 394.455, F.S.; defining and redefining terms used in part I of ch. 394, F.S., "The Baker Act"; amending s. 394.4598, F.S.; providing additional powers of a guardian advocate; revising provisions relating to the discharge of a guardian advocate; amending s. 394.463, F.S.; revising criteria for determining whether to perform involuntary examinations; revising prerequisites to initiating an involuntary examination; providing for the Agency for Health Care Administration to receive and maintain additional documents; revising procedures for filing a petition for involuntary placement; allowing such a petition to be for either inpatient or outpatient placement; amending s. 394.467, F.S.; revising criteria for involuntary placement in inpatient treatment; providing criteria for involuntary outpatient placement; revising procedures for involuntary placement; providing for a voluntary examination for outpatient placement; revising hearing procedures; providing requirements for placement orders; providing for an ex parte order allowing a guardian advocate to consent to the administration of medication over a patient's objection; providing for a voluntary treatment agreement; providing circumstances in which a petition for involuntary outpatient placement must be dismissed; providing criteria and procedures for continued involuntary outpatient placement; providing circumstances in which a court may order the discharge of a guardian advocate; providing severability; providing an effective date.

—was referred to the Committees on Judiciary; and Children and Families.

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By Senator Peadar—

**SB 2750**—A bill to be entitled An act relating to health care; amending s. 393.064, F.S.; providing for the Department of Health rather than the Department of Children and Family Services to manage the Raymond C. Philips Research and Education Unit; amending s. 394.4615, F.S.; revising the standard under which a patient's access to his or her own clinical records may be restricted; amending s. 395.3025, F.S.; authorizing the release of patient records to a health care practitioner, the Department of Health, or a researcher or facility personnel under certain circumstances; revising a restriction on the use of patient information for certain purposes; amending s. 400.141, F.S.; providing for the release of certain nursing home resident records to the Department of Health pursuant to subpoena; amending s. 400.145, F.S., and creating s. 400.455, F.S.; requiring certification of certain records by the nursing home administrator or records custodian; amending s. 456.017, F.S.; authorizing the Department of Health to post examination scores electronically in lieu of mailing; amending s. 456.0375, F.S.; providing that a community college or university clinic is exempt from certain registration requirements; amending s. 456.041, F.S.; revising certain requirements concerning information on paid claims which is included in the practitioner profile; amending s. 456.049, F.S.; revising requirements concerning information on final judgments and settlements which is included on reports filed with the department; amending s. 456.055, F.S.; requiring claims for payment for services submitted under the same payment code to be paid in the same amount; prohibiting the waiver of such requirement by contract; amending s. 456.057, F.S.; specifying certain circumstances under which a patient release for the furnishing of records is not required; authorizing the department to obtain records pursuant to subpoena; requiring the certification of certain records; amending s. 456.063, F.S.; authorizing the board, or the department if there is no board, to adopt rules for reporting allegations of sexual misconduct; amending s. 456.072, F.S.; revising provisions specifying grounds under which disciplinary actions may be taken; providing

for attorney's fees under certain circumstances; requiring that a revocation or suspension of a license be established by clear and convincing evidence; amending s. 456.073, F.S., relating to disciplinary proceedings; revising the period for filing a response to a complaint; revising requirements for the administrative hearing on a complaint; providing for certain charges and filing fees; amending s. 456.077, F.S.; revising provisions governing the issuance of citations; amending s. 456.078, F.S.; providing requirements for mediation; specifying events that constitute an adverse incident and are not subject to mediation; providing requirements for payment of the costs of mediation; requiring each board to adopt rules designating violations that are appropriate for mediation; amending s. 458.311, F.S.; revising licensure requirements; providing requirements for certification by the Board of Medicine; providing education and examination requirements; authorizing the board to adopt rules; amending s. 458.315, F.S.; providing requirements for limited licenses; providing for fees and waiver of fees under certain circumstances; providing certain restrictions on practice; providing for license renewal and for converting an active or inactive license to a limited license; amending s. 458.331, F.S.; revising requirements for determining a case of repeated malpractice and for requiring an investigation by the department; repealing s. 458.348(3), F.S., relating to protocols for the practice of electrolysis or electrology; amending s. 459.015, F.S.; revising requirements for the department with respect to investigating a claim against an osteopathic physician; amending s. 460.413, F.S.; revising the period for a chiropractic physician to respond to a complaint; amending s. 461.013, F.S.; revising requirements for determining a case of repeated malpractice and for requiring an investigation by the department; amending s. 464.203, F.S.; revising requirements for the screening of certified nursing assistants; revising hours required for inservice training; providing for certification renewal fees; amending s. 464.204, F.S.; revising the standards under which disciplinary sanctions may be imposed; amending s. 467.013, F.S.; providing for the department to adopt rules governing applications for inactive status for midwives; amending s. 467.0135, F.S.; revising the schedule of fees; amending s. 467.017, F.S.; requiring that the emergency care plan be available to the department; amending s. 468.352, F.S.; revising and providing definitions applicable to the regulation of respiratory therapy; amending s. 468.355, F.S.; revising provisions relating to respiratory therapy licensure and testing requirements; amending s. 468.368, F.S.; revising exemptions from respiratory therapy licensure requirements; repealing s. 468.356, F.S., relating to the approval of educational programs; repealing s. 468.357, F.S., relating to licensure by examination; amending s. 491.005, F.S.; revising certain licensing requirements for clinical social workers; amending s. 491.0145, F.S.; prohibiting the Department of Health from adopting certain rules governing licensure; creating s. 491.0146, F.S.; providing for effect of certain licenses; amending s. 627.912, F.S.; revising requirements for liability reports by insurers; amending s. 766.101, F.S.; providing immunity from liability for a medical review committee established by a university board of trustees and a committee of a college of medicine, college of nursing, or other health care discipline; repealing ss. 456.031, 456.033, 456.034, 458.313, 458.316, 458.3165, and 458.317, F.S., relating to instruction on domestic violence and on HIV and AIDS, licensure by endorsement, public health certificates and public psychiatry certificates, and limited licenses; providing for certain payments made by the Department of Health to the Division of Administrative Hearings to revert to the department; requiring the Office of Program Policy Analysis and Government Accountability and the Auditor General to study the hearings conducted by the division and the billings for those hearings; requiring a report to the Legislature; providing effective dates.

—was referred to the Committee on Health, Aging, and Long-Term Care.

By Senator Campbell—

**SB 2752**—A bill to be entitled An act relating to statements by the accused; providing a popular name; providing intent; providing for applicability; providing definitions; providing that statements made during custodial interrogations are presumed inadmissible; providing exceptions; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal Justice; and Appropriations.

By Senator Dockery—

**SB 2754**—A bill to be entitled An act relating to state lands; amending s. 250.42, F.S.; requiring the approval of the Board of Trustees of the Internal Improvement Trust Fund for the Armory Board to acquire, lease, or dispose of lands used by the Florida National Guard; amending s. 253.02, F.S.; conforming the membership of the Board of Trustees of the Internal Improvement Trust Fund with the membership of the Cabinet; revising requirements for the Board of Trustees to dispose of lands titled in the name of the board; amending section 253.025, F.S.; revising procedures to streamline the land acquisition process; providing criteria for acquisition; requiring an audit by the Auditor General; deleting obsolete provisions; amending s. 253.027, F.S.; revising requirements for the emergency acquisition of archaeological property; amending s. 253.03, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to adopt rules providing for equitable compensation for the administration, management, or use of lands; amending s. 253.034, F.S.; redefining the term "conservation lands"; providing definitions; revising requirements for management of conservation and nonconservation lands; authorizing the Board of Trustees of the Internal Improvement Trust Fund to adopt rules for review and approval of land use plans for nonconservation lands; revising requirements for selling or transferring state-owned conservation and nonconservation lands; relocating statutory provisions authorizing the conveyance of state-owned lands to the Department of Agriculture and Consumer Services for the relocation and construction of forest facilities; amending s. 253.111, F.S.; increasing the period for counties to exercise a right of first refusal when state-owned lands are disposed of by the board; amending s. 253.42, F.S.; revising provisions for the exchange of lands held, owned by, or vested in the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.7823, F.S.; revising requirements governing the disposition of former barge canal lands; amending s. 259.03, F.S.; redefining the terms "capital improvement" and "capital project expenditure"; amending s. 259.032, F.S.; revising requirements concerning the purchase or management of lands funded by the Conservation and Recreation Lands Trust Fund; revising requirements for the funding of interim management of acquired lands and activities on those lands; amending s. 259.035, F.S.; revising the responsibilities of the Acquisition and Restoration Council over state-owned conservation lands; authorizing the council to accept applications for certain projects; requiring that specific criteria be included in project applications submitted to the council; requiring the council to give funding priority to projects that have matching funds; creating s. 259.0355, F.S.; providing for the management of conservation lands; providing for the disposition of conservation lands; providing for alternative uses of conservation lands; amending s. 259.036, F.S.; revising the membership of regional land management review teams; amending s. 259.037, F.S.; revising requirements for submission of land management agency expenditure reports by the Land Management Uniform Accounting Council; requiring that the report be submitted to the Board of Trustees of the Internal Improvement Trust Fund; amending s. 259.04, F.S.; revising the powers and duties of the Board of Trustees of the Internal Improvement Trust Fund over land acquisition projects and capital improvements; amending s. 259.041, F.S.; providing for alternatives to fee simple acquisition of state-owned lands for preservation, conservation, and recreation purposes; amending s. 259.101, F.S.; removing obsolete provisions; amending s. 259.105, F.S.; revising requirements for the permanent public use of lands purchased by nonprofit organizations under the Florida Communities Trust Program; amending s. 375.075, F.S.; revising requirements relating to the development and planning of the Florida Recreational Development Assistance Program; amending s. 380.0677, F.S.; revising the Green Swamp Land Protection Initiative; authorizing the Florida Communities Trust to acquire properties within the Green Swamp Area of Critical State Concern; amending s. 380.510, F.S.; requiring that the Board of Trustees of the Internal Improvement Trust Fund decide how certain real property will be disposed of if terms or conditions of grants or loans under the Florida Communities Trust Program are violated; providing conditions under which title to certain property is conveyed to the Board of Trustees of the Internal Improvement Trust Fund; repealing s. 253.783, F.S., relating to the powers and duties of the Department of Environmental Protection to dispose of surplus lands; repealing s. 253.84, F.S., relating to the state acquisition of lands that may contain cattle-dipping vats; repealing s. 259.0345, F.S., relating to the Florida Forever Advisory Council; providing an effective date.

—was referred to the Committees on Natural Resources; Governmental Oversight and Productivity; Comprehensive Planning; Military and Veterans' Affairs, Base Protection, and Spaceports; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Posey—

**SB 2756**—A bill to be entitled An act relating to the tax on tobacco products; amending s. 210.01, F.S.; revising definitions; amending s. 210.05, F.S.; revising authority of the Division of Alcoholic Beverages and Tobacco to prescribe certain stamps to certain persons; deleting references to wholesalers of cigarettes; requiring the division to revoke certain licenses under certain circumstances; creating s. 210.051, F.S.; regulating delivery sales of cigarettes; prohibiting delivery of cigarettes to certain persons under certain circumstances; providing criteria and requirements; requiring notice of certain information; providing required procedures for delivering cigarettes in a delivery sale; requiring certain statements to be filed with the division; requiring collection and remittance of taxes to the division; providing civil penalties for certain violations; authorizing court actions to prevent or restrain violations; amending s. 210.06, F.S.; revising procedures, requirements, restrictions, and limitations for the application of stamps; providing limitations on unstamped cigarette packages; creating s. 210.085, F.S.; limiting the sale or distribution of cigarettes to certain permitted entities; providing limitations on obtaining cigarettes by certain persons; amending s. 210.09, F.S.; requiring division notice of certain shipments; providing an exception; authorizing the inspection of certain vehicles for contraband cigarettes; requiring reports; providing reporting requirements; providing for public access to certain records; amending s. 210.12, F.S.; revising seizure and forfeiture provisions; providing for forfeiture of certain property under certain circumstances; providing for the destruction of cigarettes under certain circumstances; amending s. 210.15, F.S.; requiring application for certain permits under certain circumstances; providing limitations on issuance of permits to certain persons; requiring the division to refuse to issue or revoke permits under certain circumstances; deleting certain premises or vehicle inspection and search provisions relating to retail cigarette dealers' and manufacturers' representatives; amending s. 210.18, F.S.; revising criminal penalties for tax evasion; deleting a criminal penalty relating to unstamped cigarettes; providing for the seizure of certain property and civil penalties for sale or possession for sale of counterfeit cigarettes; creating s. 210.181, F.S.; providing civil penalties for certain actions; providing an effective date.

—was referred to the Committees on Regulated Industries; and Commerce, Economic Opportunities, and Consumer Services.

By Senator Dockery—

**SB 2758**—A bill to be entitled An act relating to water resources; amending s. 163.3177, F.S.; requiring information pertaining to potable water and to present and potential water resources to be included in comprehensive plans; amending s. 367.081, F.S.; providing for the Public Service Commission to allow cost recovery for alternative water supply facilities; amending s. 367.0814, F.S.; revising eligibility standards for water and wastewater utilities to receive commission staff assistance in changing rates and charges; creating s. 367.0818, F.S.; providing for conservation or drought water rates; amending s. 373.0361, F.S.; including conservation measures among the water source options to be included in a regional water supply plan; amending s. 373.0831, F.S.; requiring water management districts to include certain information in their annual budgets; amending s. 373.233, F.S.; providing criteria for evaluating competing applications for water use; amending s. 373.236, F.S.; providing for issuance of longer-duration permits to applicants who will implement conservation measures; amending s. 373.1961, F.S.; providing additional guidelines for establishing funding priorities; amending s. 378.212, F.S.; expanding authority to issue certain variances and authorizing variances from additional statutory requirements; amending s. 403.064, F.S.; encouraging the metering of use of reclaimed water and charging for actual use of such water; creating s. 403.0645, F.S.; requiring the maximum practicable use of reclaimed water by state agencies and water management districts; creating s. 373.186, F.S.; encouraging the use of certain landscape design criteria; providing an effective date.

—was referred to the Committees on Natural Resources; Comprehensive Planning; Communication and Public Utilities; Appropriations Subcommittee on Transportation and Economic Development; and Appropriations.

By Senator Lynn—

**SB 2760**—A bill to be entitled An act relating to the Department of Children and Family Services; expressing the legislative intent to enact legislation revising the structure of and procedures within that department; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar.

By Senator Diaz de la Portilla—

**SB 2762**—A bill to be entitled An act relating to health care services clinics; amending s. 456.0375, F.S.; requiring each health care services clinic required to be registered with the Department of Health to employ or designate a clinic administrator; requiring level 1 background screening; requiring the clinic to pay for the screening; providing responsibility and duties of the clinic administrator; providing an effective date.

—was referred to the Committees on Health, Aging, and Long-Term Care; Banking and Insurance; and Commerce, Economic Opportunities, and Consumer Services.

**SR 2764**—Not referenced.

By Senator Bennett—

**SB 2766**—A bill to be entitled An act relating to the Statewide Public Guardianship Office; amending s. 744.1083, F.S.; revising provisions relating to registration of professional guardians; providing for an application fee; amending s. 744.1085, F.S.; allowing the Statewide Public Guardianship Office to charge a fee for instructional courses; requiring approval of courses; allowing a fee for review and approval of courses; amending s. 744.3135, F.S.; revising provisions relating to credit and criminal investigation; amending s. 744.3145, F.S.; requiring approval of specified courses; allowing a fee; requiring persons appointed to act as guardians to register and to renew that registration; allowing the Statewide Public Guardianship Office to contract with the clerk of the court to perform specified services; amending s. 744.534, F.S.; providing for escheat of interest and income attributable to unclaimed funds; amending s. 744.7021, F.S.; revising the qualifications and duties of the executive director of the office; deleting obsolete reporting requirements; revising the duties of the Statewide Public Guardianship Office; providing for the transfer and use of funds; amending s. 744.703, F.S.; prescribing educational requirements for public guardians; amending s. 744.706, F.S.; revising provisions regarding the preparation of the budget; amending s. 744.7082, F.S.; redefining the term "direct-support organization"; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Article V Implementation and Judiciary; and Appropriations.

By Senator Geller—

**SB 2768**—A bill to be entitled An act relating to medical malpractice insurance reform; expressing the legislative intent to revise laws relating to medical malpractice insurance reform; providing an effective date.

—was referred to the Committees on Health, Aging, and Long-Term Care; Banking and Insurance; Judiciary; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar.

By Senator Haridopolos—

**SB 2770**—A bill to be entitled An act relating to public school performance-based funding; providing funding to school districts based on per-



formance or improvement as measured by the FCAT; providing for calculation of awards; providing for use of funds; providing appropriations; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

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By Senator Haridopolos—

**SB 2772**—A bill to be entitled An act relating to determinations of ad valorem tax millage; amending s. 200.065, F.S.; including real and tangible personal property assessed for the first time as substantially complete and no longer construction work in progress within an exclusion of certain properties from a method of computing a millage rate; amending s. 200.071, F.S.; specifying that charter counties are not prohibited from limiting, by referendum, the amount of revenue raised from ad valorem taxes under certain circumstances; providing limitations; providing an effective date.

—was referred to the Committees on Comprehensive Planning; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

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**SR 2774**—Not referenced.

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By Senator Haridopolos—

**SJR 2776**—A joint resolution proposing amendments to Section 1 of Article VII and Section 21 of Article XII of the State Constitution relating to a limitation on state appropriations.

—was referred to the Committees on Finance and Taxation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

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By Senator Haridopolos—

**SB 2778**—A bill to be entitled An act relating to relief from overcrowded schools; creating s. 1013.215, F.S.; establishing the S.C.R.I.P.T. grants program for school overcrowding relief; providing a popular name; providing findings, intent, and purposes; providing a definition; providing school district, parent, and Department of Education obligations; providing private school eligibility requirements; providing for the initial award, renewal, and disbursement of S.C.R.I.P.T. grants; limiting the liability of the state relating to the award or use of a S.C.R.I.P.T. grant; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

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By Senator Campbell—

**SB 2780**—A bill to be entitled An act relating to the regulation of prescription drugs; providing a short title; providing legislative findings and intent with respect to a report by the Seventeenth Statewide Grand Jury; amending s. 499.003, F.S.; defining additional terms, including the terms “contraband legend drug,” “pedigree paper,” and “repackager”; amending s. 499.005, F.S.; prohibiting the purchase or sale of prescription drugs in wholesale distribution in exchange for currency; clarifying provisions prohibiting the transfer of legend drugs from or to any person not authorized to possess such drugs; prohibiting additional acts concerning the distribution of prescription drugs; creating s. 499.0051, F.S.; providing that failure to maintain or deliver pedigree papers, failure to authenticate pedigree papers, forgery of pedigree papers, purchase of legend drugs from an unlicensed person, sale of legend drugs to an unlicensed person, possession or sale of contraband legend drugs and possession with intent to sell or deliver contraband legend drugs, and forgery of prescription labels or legend drug labels are felony offenses; providing penalties; creating s. 499.0052, F.S.; providing that trafficking

in contraband legend drugs is a felony offense; providing penalties; providing enhanced penalties if the defendant is a corporation or not a natural person; creating s. 499.0053, F.S.; providing that the sale or purchase of a contraband legend drug resulting in great bodily harm is a first-degree felony; creating s. 499.0054, F.S.; providing that the sale or purchase of a contraband legend drug resulting in death is a first-degree felony; amending s. 499.006, F.S.; providing that a legend drug that is unaccompanied by a proper pedigree paper or that has been in the possession of an unauthorized person is an adulterated drug; amending s. 499.007, F.S.; revising labeling requirements to conform to federal law; amending s. 499.01, F.S.; requiring that prescription drug repackagers, nonresident prescription drug manufacturers, and freight forwarders obtain a permit from the Department of Health in order to do business; requiring that an applicant obtain all necessary occupational licenses; amending s. 499.012, F.S.; excluding the transfer of prescription drugs within a hospital from the definition of wholesale distribution; providing bond requirements for prescription drug wholesalers; deleting provisions authorizing the department to grant out-of-state wholesalers reciprocity; requiring freight forwarders and nonresident prescription drug manufacturers to obtain a permit; providing requirements; providing requirements for the permitting of prescription drug wholesalers, out-of-state prescription drug wholesalers, and retail pharmacy drug wholesalers; requiring prescription drug wholesalers to designate a representative; providing criteria for designation as a representative; amending s. 499.0121, F.S.; requiring pedigree papers for the transfer and sale of legend drugs; providing documentation requirements for the shipment of prescription drugs; providing requirements for wholesale drug distributors with respect to shipping prescription drugs; amending s. 499.013, F.S.; providing requirements for repackagers of drugs, devices, and cosmetics; requiring that a repackager obtain a permit from the department; amending s. 499.014, F.S.; specifying that certain restricted distributors are exempt from the requirements concerning pedigree papers; amending s. 499.041, F.S.; revising the schedule of fees for permits; amending s. 499.051, F.S.; extending the authority of the Department of Health to inspect pharmacies and retail pharmacy wholesalers; authorizing the department and the Department of Law Enforcement to inspect certain financial documents and records; amending s. 499.055, F.S.; requiring the Department of Health to establish a website listing all permit holders and pending enforcement actions; creating s. 499.065, F.S.; authorizing the department to enter and inspect all permitted facilities at any reasonable time; authorizing the department to seize and destroy prescription drugs representing a threat to public health; authorizing the department to close facilities that represent an imminent danger to public health; amending s. 499.066, F.S.; providing for administrative actions by the department; creating s. 499.0661, F.S.; providing for the department to issue cease and desist orders; providing for the department to order the removal of certain persons from involvement with certain drug wholesalers; amending s. 499.067, F.S.; specifying additional grounds for denial of a permit or certification; amending s. 499.069, F.S.; revising certain penalty provisions; creating s. 499.0691, F.S.; providing criminal penalties for violations related to drugs or false advertisement; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to changes made by the act; amending s. 895.02, F.S.; including certain violations of part I of ch. 499, F.S., within the definition of racketeering activity; amending ss. 16.56 and 905.34, F.S.; authorizing criminal violations of part I of ch. 499, F.S., to be prosecuted by the Office of Statewide Prosecution and heard by the Statewide Grand Jury; providing for severability; providing an effective date.

—was referred to the Committees on Health, Aging, and Long-Term Care; Criminal Justice; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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By Senator Haridopolos—

**SB 2782**—A bill to be entitled An act relating to county and municipal taxes on motor fuel; amending ss. 206.60 and 206.605, F.S.; including bicycle paths and pedestrian pathways within authorized uses of proceeds of county and municipal taxes on motor fuel; providing an effective date.

—was referred to the Committees on Comprehensive Planning; and Finance and Taxation.



By Senator Alexander—

**SB 2784**—A bill to be entitled An act relating to site rehabilitation of contaminated sites; creating s. 376.30701, F.S.; extending application of risk-based corrective action principles to all contaminated sites resulting from a discharge of pollutants or hazardous substances; providing for contamination cleanup criteria that incorporate risk-based corrective action principles to be adopted by rule; providing clarification that cleanup criteria do not apply to offsite relocation or treatment; providing the conditions under which further rehabilitation may be required; amending s. 199.1055, F.S.; clarifying who may apply for tax credits; clarifying time period for use of tax credits; amending s. 220.1845, F.S.; clarifying who may apply for tax credits; clarifying time period for use of tax credits; allowing tax credit applicants to claim credit on a consolidated return up to the amount of the consolidated group's tax liability; amending s. 376.30781, F.S.; clarifying who may apply for tax credits; converting tax credit application time period to calendar year; moving application deadline to January 15; clarifying that placeholder applications are prohibited; eliminating outdated provisions; providing an effective date.

—was referred to the Committees on Natural Resources; Comprehensive Planning; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Diaz de la Portilla—

**SB 2786**—A bill to be entitled An act relating to urban revitalization; providing a popular name; providing definitions; providing criteria and procedures for an urban revitalization tax-free zone; creating the Urban Revitalization Task Force; providing for membership and duties; providing for reimbursement for travel expenses; providing for an executive director, technical experts, and other employees; specifying criteria to be eligible for tax exemptions; requiring a report; requiring review of the Tax-Free Urban Revitalization Pilot Project by the Office of Program Policy Analysis and Government Accountability; providing for future repeal of the act; providing an effective date.

—was referred to the Committees on Comprehensive Planning; Commerce, Economic Opportunities, and Consumer Services; Governmental Oversight and Productivity; Finance and Taxation; Appropriations Subcommittee on Transportation and Economic Development; and Appropriations.

**Senate Resolutions 2788-2790**—Not referenced.

By Senator Argenziano—

**SM 2792**—A memorial urging the President of the United States and the Congress of the United States, in negotiating any new international trade agreement, to retain the existing tariff on orange juice imported to North America in order to promote fair trade in North America and ensure that orange juice producers in North America will not be subjected to any additional adverse economic impact resulting from importation of orange juice produced outside North America.

—was referred to the Committee on Rules and Calendar.

By Senator Pruitt—

**SB 2794**—A bill to be entitled An act relating to trust funds; creating the Wildflower Trust Fund; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Appropriations Subcommittee on Transportation and Economic Development; and Appropriations.

By Senator Crist—

**SB 2796**—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S.; deleting the requirement to use certified mail in service of a subpoena on a witness in specified types of cases; allowing the posting of a criminal witness subpoena under specified conditions; amending s. 83.13, F.S.; allowing the party who had a distress writ issued to deliver the writ to a sheriff in another county; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

By Senator Atwater—

**SCR 2798**—A concurrent resolution amending Joint Rules 4 and 5 and repealing Joint Rule 6 of the Joint Rules of the Legislature.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations; and Rules and Calendar.

By Senator Haridopolos—

**SB 2800**—A bill to be entitled An act relating to gambling; prohibiting certain gambling activity from being conducted on vessels that embark and disembark within the state; providing a penalty; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce, Economic Opportunities, and Consumer Services; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Haridopolos—

**SB 2802**—A bill to be entitled An act relating to military student education; directing the Department of Education to assist in the transition of dependents of military personnel into the public school system; requiring a report; providing an effective date.

—was referred to the Committees on Military and Veterans' Affairs, Base Protection, and Spaceports; and Education.

By Senator Fasano—

**SB 2804**—A bill to be entitled An act relating to administration of prescription medication; allowing certain personnel of developmental training facilities or rehabilitation workshop facilities to administer or assist consumers in the administration of prescription medication under certain conditions; amending s. 393.063, F.S.; replacing the term "developmental training facility" with the term "adult day training program"; providing an effective date.

—was referred to the Committees on Health, Aging, and Long-Term Care; Children and Families; and Judiciary.

**Senate Resolutions 2806-2808**—Not referenced.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Health, Aging, and Long-Term Care; and Senator Crist—

**CS for SB 30**—A bill to be entitled An act relating to Hillsborough County; providing for the relief of James T. Edwards for injuries suffered as a result of negligence of Hillsborough County; providing for repayment of Medicaid lien; providing for the use of the funds; providing an effective date.

By the Committee on Comprehensive Planning; and Senators Constantine, Fasano, Cowin, Wise and Lynn—

**CS for SB 54**—A bill to be entitled An act relating to local government; providing definitions; prohibiting local governments from requiring employers to pay a minimum wage other than a federal minimum wage; providing exceptions; providing an effective date.

By the Committee on Comprehensive Planning; and Senators Geller and Webster—

**CS for SB's 186 and 2528**—A bill to be entitled An act relating to governmental reorganization; creating s. 20.101, F.S.; creating the Department of State and Community Affairs; providing the mission of the department; providing that the department shall be headed by a secretary appointed by, and serving at the pleasure of, the Governor; establishing divisions within the department; providing that the Florida Housing Finance Corporation and the Division of Emergency Management shall be placed in the department for administrative purposes; requiring appointment of division directors; providing for the appointment of deputy and assistant secretaries; providing for the establishment of bureaus, sections, and subsections deemed necessary by the secretary for certain purposes; providing for the appointment of directors or executive directors of any commission or council assigned to the department; providing for the Director of the Division of Emergency Management to be appointed by the Governor; amending s. 20.22, F.S.; designating the Secretary of Management Services as the official custodian of state records; repealing s. 20.10, F.S., relating to the Department of State; repealing s. 20.18, F.S., relating to the Department of Community Affairs; providing for the transfer of programs, functions, activities, powers, duties, rules, records, personnel, property, and unexpended balances among certain state agencies; providing that the Secretary of State shall continue in office as the Secretary of the Department of State and Community Affairs without further appointment or confirmation; providing transitional provisions; requiring the department to solicit input from various interest groups and submit a joint report with other agencies to the Governor and the Legislature; prohibiting substantive changes by rule to the department's programs until the end of the 2004 Legislative Session; directing the Division of Statutory Revision to prepare a reviser's bill for the 2004 Regular Session of the Legislature; providing an effective date.

By the Committees on Health, Aging, and Long-Term Care; Judiciary; and Senator Lynn—

**CS for CS for SB 340**—A bill to be entitled An act relating to involuntary commitment under the Baker Act; amending s. 394.463, F.S.; providing that a patient admitted for involuntary examination to a hospital may not be released without the approval of the emergency department physician and completion of an involuntary examination; providing an effective date.

By the Committee on Communication and Public Utilities; and Senators Campbell, Siplin, Cowin, Margolis, Miller and Posey—

**CS for SB 438**—A bill to be entitled An act relating to commercial electronic messages; providing definitions; prohibiting a person from transmitting a commercial electronic mail message that uses a third party's Internet domain name without permission or a message that contains false or misleading information; prohibits a person from transmitting an unsolicited commercial electronic mail message without the use of the characters "ADV:" in the subject line or without providing a mechanism allowing recipients to easily remove themselves from the sender's electronic mailing address list at no cost; providing damages and an award for attorney's fees and costs to an injured party for violation of the act; providing the electronic mail service provider immunity from liability; providing an injured electronic mail service provider an award of attorney's fees and costs, and in lieu of actual damages, if the provider so chooses, the greater of \$10 for each unsolicited commercial electronic mail message transmitted or \$25,000 per day; providing an effective date.

By the Committees on Governmental Oversight and Productivity; and Agriculture—

**CS for SB 462**—A bill to be entitled An act relating to public records; narrowing, reenacting, and amending s. 828.30(5), F.S.; reenacting the exemption from public-records requirements which pertains to certain exempt information contained in a rabies vaccination certificate provided to the animal control authority; providing an effective date.

By the Committee on Communication and Public Utilities; and Senator Haridopolos—

**CS for SB 654**—A bill to be entitled An act relating to regulation of telecommunications companies; providing a popular name; amending s. 364.01, F.S.; providing legislative finding that provision of unregulated voice-over-internet protocol is in the public interest; amending s. 364.02, F.S.; changing the term "alternative local exchange telecommunications company" to "competitive local exchange telecommunications company"; defining the term "intrastate interexchange telecommunications company"; limiting the definition of "service"; amending s. 364.025, F.S.; conforming terminology; extending the time period for mandatory provision of basic local exchange telecommunications services within the territory of a local exchange telecommunications company; extending the transitional time period for the Public Service Commission's providing an interim mechanism for maintaining universal service objectives; providing authority for the Public Service Commission to change the mechanism upon petition during such period; delaying requirement that the Legislature establish a permanent mechanism; delaying date on which competitive local exchange telecommunications company may petition the Public Service Commission to become a universal service provider and carrier of last resort; providing for commission determination as to its authority to address universal service support mechanism for small local exchange telecommunications companies different from the interim mechanism; amending s. 364.0361, F.S.; providing exclusivity for certain regulations; amending s. 364.051, F.S.; conforming terminology; providing circumstances under which certain telecommunications companies may elect alternative regulations; providing an exception; prohibiting an increase in certain regulations on competitive local exchange telecommunications companies; amending s. 364.052, F.S.; conforming terminology; amending s. 364.058, F.S.; providing for an expedited process to facilitate quick resolution of disputes between telecommunications companies; providing rulemaking authority; creating s. 364.059, F.S.; providing procedures for staying election of local exchange telecommunications companies to be subject to alternative regulations; requiring the Public Service Commission to provide benchmarks and criteria for granting stays; providing rulemaking authority; amending s. 364.10, F.S.; requiring certain local exchange telecommunications companies to provide Lifeline services to certain persons; providing for eligibility determinations by the Public Counsel for receipt of such services; prohibiting rate increases for basic local telecommunications services provided to such eligible persons; requiring distribution of certain materials; requiring annual reports; amending ss. 364.16, 364.161, and 364.162, F.S.; conforming terminology; amending s. 364.163, F.S.; deleting obsolete language; changing period in which intrastate access rates are capped; removing limitations on certain rate increases; eliminating certain fees; providing presumption of validity for certain tariff changes made by intrastate interexchange telecommunications companies; creating s. 364.164, F.S.; authorizing local exchange telecommunications companies to petition the Public Service Commission for reduction of intrastate network access rates under certain circumstances; requiring revenue neutrality; providing criteria for the commission to consider; amending s. 364.337, F.S.; conforming terminology; amending s. 364.3376, F.S.; eliminating the requirement that intrastate interexchange telecommunications companies obtain a certificate of public convenience prior to providing operator services; amending ss. 364.502 and 365.172, F.S.; conforming terminology; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605, 364.602, and 489.103, F.S.; correcting cross-references to s. 364.02, F.S.; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Senator Campbell—

**CS for CS for SB 1020**—A bill to be entitled An act relating to court procedures; amending ss. 26.012, 27.06, 34.01, 48.20, 142.09, 316.635,

373.603, 381.0012, 450.121, 560.306, 633.14, 648.44, 817.482, 828.122, 832.05, 876.42, 893.12, 901.01, 901.02, 901.07, 901.08, 901.09, 901.11, 901.12, 901.25, 902.15, 902.17, 902.20, 902.21, 903.03, 903.32, 903.34, 914.22, 923.01, 933.01, 933.06, 933.07, 933.10, 933.101, 933.13, 933.14, 939.02, 939.14, 941.13, 941.14, 941.15, 941.17, 941.18, 947.141, 948.06, 985.05, F.S., relating to various court procedures; redesignating "magistrates" as "trial court judges"; amending ss. 56.071, 56.29, 61.1826, 64.061, 65.061, 69.051, 70.51, 92.142, 112.41, 112.43, 112.47, 162.03, 162.06, 162.09, 173.09, 173.10, 173.11, 173.12, 194.013, 194.034, 194.035, 206.16, 207.016, 320.411, 393.11, 394.467, 397.311, 397.681, 447.207, 447.403, 447.405, 447.407, 447.409, 475.011, 489.127, 489.531, 496.420, 501.207, 501.618, 559.936, 582.23, 631.182, 631.331, 633.052, 744.369, 760.11, 837.011, 838.014, 839.17, 916.107, 938.30, 945.43, F.S., relating to various administrative and judicial proceedings; redesignating "masters" and "general or special masters" as "general or special magistrates"; amending s. 903.02, F.S.; providing that any judge setting or granting bail shall set a separate bail amount for each charge or offense; amending s. 903.046, F.S.; providing that a defendant forfeits the right to a presumption in favor of release on nonmonetary conditions if charged with a second or subsequent felony within a certain time period; amending s. 903.047, F.S.; providing for standard conditions of pretrial release without the trial judge stating such conditions on the record; requiring a defendant to comply with all conditions of a pretrial release program; amending s. 903.26, F.S.; providing that failure of the state attorney to institute extradition proceedings or extradite the principal on a bail bond, after the surety's written agreement to pay actual transportation costs, exonerates the surety; amending s. 903.27, F.S.; providing that in cases in which the bond forfeiture has been discharged by the court, the amount of the judgment may not exceed the amount of the unpaid fees or costs upon which the discharge had been conditioned; amending s. 903.31, F.S.; providing that the clerk of court shall furnish an executed certificate of cancellation to the surety; providing that the original appearance bond does not guarantee the defendant's conduct or appearance in court at any time under certain circumstances; amending s. 907.041, F.S.; requiring a pretrial release service to certify to the court in writing that it has conducted certain investigations and verified specified conditions before an accused is released on nonmonetary conditions; revising requirements for the pretrial release of a person charged with a dangerous crime; creating s. 903.0465, F.S.; providing that a judge at a first appearance may not reduce bail set by another judge issuing an arrest warrant; amending s. 903.0471, F.S.; authorizing a court to make a finding of probable cause on the basis of an affidavit of a law enforcement officer when a person on pretrial release is arrested for a new law violation; providing an effective date.

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By the Committee on Education; and Senator Clary—

**CS for SB 1146**—A bill to be entitled An act relating to education; creating the Harnessing the Power of Education Technology Advisory Council; providing for membership, powers, and duties; requiring a report; providing an effective date.

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By the Committees on Comprehensive Planning; Judiciary; and Senators Fasano, Lynn and Argenziano—

**CS for CS for SB 1220**—A bill to be entitled An act relating to the sale of real property; requiring disclosures by nondeveloper owners of real property in deed-restricted communities; amending s. 689.26, F.S.; requiring disclosures to prospective parcel owners in a community; providing an effective date.

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By the Committee on Health, Aging, and Long-Term Care; and Senators Saunders and Aronberg—

**CS for SB 1294**—A bill to be entitled An act relating to public health; amending s. 401.27, F.S.; authorizing electronically submitted applications for certification or recertification as an emergency medical technician or a paramedic; revising requirements for an insignia identifying such person; requiring the screening of applicants through the Department of Law Enforcement; amending s. 401.2701, F.S., relating to emergency medical services training programs; requiring that students be

notified of certain regulatory and screening requirements; requiring the department to adopt rules; providing an effective date.

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By the Committee on Governmental Oversight and Productivity; and Senators Posey and Dawson—

**CS for SB 1426**—A bill to be entitled An act relating to municipal per diem and travel expenses; amending s. 166.021, F.S.; providing definitions; authorizing municipalities and agencies thereof to adopt per diem and travel expense policies for travelers, notwithstanding s. 112.061, F.S.; providing for retroactive application; providing for applicability of s. 112.061, F.S., if per diem and travel expense policies are or are not adopted; providing for offenses related to false or fraudulent travel claims; providing misdemeanor penalties; providing for civil liability; providing effective dates.

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By the Committee on Governmental Oversight and Productivity; and Senators Garcia and Villalobos—

**CS for SB 1434**—A bill to be entitled An act relating to public libraries; amending s. 257.17, F.S.; authorizing municipalities to receive operating grants; establishing minimum standards for receipt of funds; removing minimum population requirement for municipalities to be eligible to receive funds; amending s. 257.191, F.S.; revising provisions relating to construction grants; amending s. 257.22, F.S.; permitting eligible political subdivisions to receive warrants; amending s. 257.23, F.S.; requiring certification of annual tax income by a specified date; clarifying authority with regard to applications for grants; repealing s. 257.19, F.S., relating to library construction grants; amending s. 257.261, F.S.; revising provisions relating to confidentiality of public library registration and circulation records to authorize disclosure of information to the parent or guardian of a library patron under age 16, for the purpose of collecting fines or recovering overdue books or other materials; providing an effective date.

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By the Committees on Comprehensive Planning; Communication and Public Utilities; and Senator Bennett—

**CS for CS for SB 1450**—A bill to be entitled An act relating to emergency communications; amending s. 365.172, F.S.; defining the terms "active prepaid wireless telephone," "mobile telephone number," "prepaid wireless telephone service," and "sufficient positive balance" for purposes of wireless emergency communications; prescribing additional duties of the board of directors of the Wireless 911 Board with respect to 911 and E911 systems; prescribing a method of collecting the wireless E911 fee in instances in which the wireless telephone service to which the surcharge applies is prepaid; providing for collocation of wireless telecommunications facilities; providing for location of such facilities on government buildings; providing schedules for government response to permit applications; amending s. 365.173, F.S.; authorizing disbursements from the Wireless Emergency Telephone System Fund for activities of the board of directors of the Wireless 911 Board; creating s. 365.175, F.S.; requiring new private branch exchange telephone systems to have automatic location identification capabilities; providing an effective date.

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By the Committee on Children and Families; and Senator Lynn—

**CS for SB 1554**—A bill to be entitled An act relating to the licensure of child care homes and facilities; amending s. 402.310, F.S.; authorizing the Department of Children and Family Services or a local licensing agency to deny, suspend, or revoke the license of a child care facility, a licensed family day care home, or a large family child care home and to deny, suspend, or revoke the registration of a family day care home following a violation of certain laws or rules; amending s. 402.313, F.S.; abolishing the authority of the Department of Children and Family Services or a local licensing agency to impose an administrative fine for family day care homes; requiring the department to establish minimum safety standards for licensed family day care homes; amending s. 402.3131, F.S.; abolishing the authority of the Department of Children

and Family Services or a local licensing agency to impose an administrative fine for large family child care homes; providing an effective date.

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By the Committee on Transportation; and Senator Argenziano—

**CS for SB 1558**—A bill to be entitled An act relating to motor vehicles; amending s. 316.2398, F.S.; revising provisions that regulate the display or use of red lights on motor vehicles of volunteer firefighters or medical staff; providing an effective date.

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By the Committee on Health, Aging, and Long-Term Care; and Senator Saunders—

**CS for SB 1582**—A bill to be entitled An act relating to blood establishments; defining the term “blood establishment”; providing standards for the operation of a blood establishment; declaring a blood establishment that does not meet those standards to be nuisance; authorizing the Agency for Health Care Administration or any state attorney to bring an action for injunction to cease operations or enjoin future operations of any blood establishment that does not meet the standards and that endangers donors or recipients; providing an effective date.

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By the Committee on Home Defense, Public Security, and Ports; and Senator Dockery—

**CS for SB 1616**—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S., relating to seaport security standards; authorizing the Department of Law Enforcement to exempt an inactive seaport from certain requirements; revising circumstances under which employment by or access to a seaport may be denied; providing additional offenses that disqualify a person from employment within or regular access to a seaport or restricted access area; prohibiting a seaport from imposing access restrictions that exceed the statewide minimum requirements; creating s. 311.125, F.S.; establishing the Uniform Port Access Credential System, to be administered by the Department of Highway Safety and Motor Vehicles; requiring seaports that are subject to statewide minimum security standards to comply with the system’s requirements by a specified date; specifying system requirements; providing requirements for the Uniform Port Access Credential Card; requiring an initial fingerprint-based criminal history check of card applicants; requiring additional criminal history checks; requiring employers to notify a seaport if an employee having access is terminated, resigns, is incapacitated, or dies; providing a procedure for placing a card in an inactive status; providing for reactivation of a card; authorizing revocation of a business entity’s access to a seaport upon failure to report a change in the work status of an employee; providing requirements for access to restricted areas and nonrestricted areas within a seaport; providing requirements for a visitor’s pass to be issued by seaports; authorizing seaports to charge for the cost of conducting criminal history checks and issuing the Uniform Port Access Credential Card; providing for seizure of a Uniform Port Access Credential Card by a law enforcement officer under certain circumstances; providing a timeframe for seaports to comply with the requirements of the act; requiring the Department of Law Enforcement to update a seaport security compliance plan; providing an effective date.

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By the Committee on Health, Aging, and Long-Term Care; and Senators Margolis, Dawson, Bullard, Posey, Fasano, Miller, Garcia, Campbell, Peadar, Hill and Klein—

**CS for SB 1626**—A bill to be entitled An act relating to weight-loss pills; defining the term “weight-loss pill”; prohibiting the sale or other transfer of weight-loss pills to minors; providing a defense; requiring establishments selling such pills at retail to post notice that such sale is unlawful; providing penalties; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Campbell—

**CS for SB 1636**—A bill to be entitled An act relating to property tax administration; amending s. 193.155, F.S.; requiring notification to purchasers of property subject to the assessment limitation about ad valorem taxes; amending s. 194.034, F.S.; requiring notice by the value adjustment board of the final date for filing an action in the circuit court; amending s. 195.062, F.S.; authorizing the Department of Revenue to amend the manual of instructions for property appraisers; amending s. 195.096, F.S.; providing that the department’s appraiser, or his or her representative, has the right of entry and access for purposes of making inspections; requiring reasonable notification and presentation of credentials; amending s. 195.097, F.S.; revising the date for the department to issue certain notices to property appraisers; specifying circumstances under which the department may require that a property appraiser and the appraiser’s staff undergo training as a condition of roll approval; providing an effective date.

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By the Committee on Commerce, Economic Opportunities, and Consumer Services; and Senator Posey—

**CS for SB 1706**—A bill to be entitled An act relating to the entertainment industry; providing a short title; creating s. 447.095, F.S.; providing a definition; applying s. 6, Art. I of the State Constitution, to the entertainment industry; prohibiting certain employment practices by employers in the entertainment industry and by labor organizations; voiding certain agreements between employers and labor organizations; resolving conflicts with federal law or regulations; reenacting s. 447.14, F.S., relating to penalties; reenacting and amending s. 447.17, F.S., relating to civil remedies and injunctive relief; providing remedies and relief for violations; providing a definition; requiring the state, political subdivisions, contractors, and subcontractors to give preference in procurement of entertainment production services to qualified production companies under certain circumstances; providing an effective date.

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By the Committee on Transportation; and Senators Webster and Constantine—

**CS for SB 1720**—A bill to be entitled An act relating to the Central Florida Regional Transportation Authority; amending s. 343.63, F.S.; revising membership of the governing board of the authority; providing an effective date.

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By the Committee on Health, Aging, and Long-Term Care; and Senator Fasano—

**CS for SB 1784**—A bill to be entitled An act relating to public records; exempting from public records requirements information and records reported to the Department of Health under the electronic monitoring system for prescription of controlled substances listed in Schedules II-IV; authorizing certain persons and entities access to patient-identifying information; providing guidelines for the use of such information and penalties for violations; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

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By the Committee on Children and Families; and Senator Margolis—

**CS for SB 1822**—A bill to be entitled An act relating to adult protective services; amending s. 415.1045, F.S.; requiring the Department of Children and Family Services to enter into certain working agreements with local law enforcement agencies; requiring the Office of Program Policy Analysis and Government Accountability to review and report to the Legislature; amending s. 415.1102, F.S.; defining the term “multidisciplinary adult protection team”; providing for composition of such teams; requiring the department to report to the Legislature on the status of compliance with certain recommendations relating to the Adult Services Program and to analyze and provide a plan for the implementation of multidisciplinary adult protection teams; providing an effective date.

By the Committee on Comprehensive Planning; and Senators Sebesta and Crist—

**CS for SB 1824**—A bill to be entitled An act relating to subdivision property; amending s. 197.502, F.S.; increasing the fee for tax deed applications; providing notification to legal titleholders of contiguous property which is included in a tax certificate for unpaid taxes; amending s. 197.502, F.S.; providing for notification to the legal titleholder of lands contiguous to land available for taxes prior to the sale of said lands; amending s. 197.582, F.S., to exclude from the requirement for the clerk of court to retain certain fund balances above those required to satisfy tax liens those titleholders receiving notice pursuant to s. 197.502, F.S.; creating a prohibition of the assessment of an ad valorem tax or non-ad valorem assessment by certain entities against property constituting the common elements of a subdivision; requiring that the property appraiser prorate the value of taxes and special assessments against recreational facilities, easements, and other common elements of a subdivision and include such prorated value among the lots within the subdivision conveyed or intended to be conveyed into private ownership; defining the term “common element” for purposes of this act; amending s. 197.522, F.S.; requiring the clerk to give notice to certain individuals, by certified mail with return receipt requested or by registered mail, that the application for tax deed has been made; providing that such notice be mailed 20 days prior to the date of sale; providing for no notice in certain circumstances; creating a requirement for the clerk of court to give certain prior notice to persons listed in the tax collector’s statement regarding proposed sale of tax delinquent properties; providing an effective date.

By the Committee on Children and Families; and Senator Bennett—

**CS for SB 1834**—A bill to be entitled An act relating to child abuse and abuse of vulnerable adults; amending s. 95.11, F.S.; revising language with respect to the statute of limitations in certain actions; providing a time period for suits with respect to intentional torts based on abuse of a vulnerable adult, for intentional torts based upon abuse of a child, and for intentional torts based upon childhood sexual abuse; providing for severability; providing an effective date.

By the Committee on Education; and Senator Atwater—

**CS for SB 1896**—A bill to be entitled An act relating to school speed zones; amending s. 316.1895, F.S.; providing for the use of described flashing beacons to designate school zone speed restrictions; revising requirements for the Department of Transportation to establish certain standards; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Education; and Senator Bennett—

**CS for CS for SB 1914**—A bill to be entitled An act relating to career and technical education; providing legislative intent; requiring career and technical education programs within a comprehensive high school program of study to be industry certified; requiring State Board of Education rules for the certification process; providing full-time equivalent student funding for student enrollment; requiring articulation with postsecondary programs; providing academic requirements for students enrolled in career and technical education programs; providing for a career and technical education endorsement on a high school diploma and incentive funding to school districts for students receiving the endorsement; providing professional development programs for guidance counselors and career specialists; amending s. 1003.491, F.S.; providing certain responsibilities for district school boards and superintendents; amending s. 1011.62, F.S., relating to the Florida Education Finance Program; providing for funding of career and technical education programs; revising a program group; providing incentive funding for attainment of high school career and technical education endorsements as a categorical program; amending s. 1012.01, F.S.; revising a personnel classification title; requiring a study by the Office of Program Policy Analysis and Government Accountability; amending s. 1002.34, F.S.; allowing charter technical career sponsors to submit full-time-

enrollment membership data as defined in the charter agreement; providing effective dates.

By the Committee on Military and Veterans’ Affairs, Base Protection, and Spaceports; and Senator Bennett—

**CS for SB 1954**—A bill to be entitled An act relating to specialty license plates; creating s. 320.0891, F.S.; creating the U.S. Paratroopers license plate; restricting eligibility to purchase such plates; amending s. 320.089, F.S.; creating the Valor license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Lynn—

**CS for SB 1978**—A bill to be entitled An act relating to homeowners’ associations; amending s. 702.09, F.S.; redefining the term “mortgage” to include liens created pursuant to a homeowners’ association as defined in s. 712.01, F.S.; amending s. 718.111, F.S.; revising provisions relating to insurance required for condominium property; revising provisions with respect to official records of a condominium association; authorizing the association to provide certain information to prospective purchasers or lienholders under certain circumstances; authorizing fees; providing for applicability of amendments; amending s. 718.112, F.S.; revising provisions with respect to condominium bylaws to allow the use of limited proxies for votes taken to waive certain financial reporting requirements; prohibiting the requirement of retrofitting for enhanced fire protection systems under certain circumstances; prohibiting residents of high-rise buildings from voting to forego retrofitting for enhanced fire protection systems in common areas; requiring reports; amending s. 718.303, F.S.; providing that certain actions with respect to the obligation of condominium owners shall not be deemed actions for specific performance; amending s. 719.104, F.S.; revising provisions with respect to official records of a cooperative association; authorizing the association to provide certain information to prospective purchasers or lienholders under certain circumstances; authorizing fees; amending s. 719.303, F.S.; providing that certain actions with respect to the obligation of cooperative owners shall not be deemed actions for specific performance; amending s. 720.302, F.S.; providing that corporations not for profit that operate residential homeowners’ associations shall be governed by and subject to the provisions of ch. 617, F.S.; amending s. 719.1055, F.S.; prohibiting the requirement of retrofitting for enhanced fire protection systems under certain circumstances; prohibiting residents of high-rise buildings from voting to forego retrofitting for enhanced fire protection systems in common areas; requiring reports; providing an effective date.

By the Committee on Transportation; and Senator Argenziano—

**CS for SB 1994**—A bill to be entitled An act relating to road and bridge designations; designating a portion of Interstate 75 as Purple Heart Memorial Highway; designating Dr. Martin Luther King, Jr., Memorial Highway in Hamilton County; designating Nott Circle Roundabout in Suwannee County; designating the Dr. Martin Luther King, Jr., Memorial Highway in Gadsden County; designating the Jim Deaton Memorial Bridge in Duval County; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committee on Children and Families; and Senator Lynn—

**CS for SB 1996**—A bill to be entitled An act relating to child welfare training academies; amending s. 402.40, F.S.; replacing the terms “dependency program” and “dependency program staff” with the terms “child welfare services” and “person who delivers child welfare services,” respectively; defining those terms; redefining terms used in the section; requiring the Department of Children and Family Services to establish the core competencies for a training curriculum; requiring collaboration with experts and providers; requiring each person who delivers child welfare services to master particular components of the training curriculum; directing the department to competitively bid the contracts for the training curriculum; requiring the Department of Children and Family

Services to annually examine the advance training needs for child welfare services; requiring the department to develop minimum standards for a certification process and minimum standards for trainer qualifications; deleting a requirement that the department contract with Tallahassee Community College for the operation of one or more training academies; providing for the roles of the training academies; directing the department to competitively bid training academy contracts; requiring the core competencies, standards for a certification process, and standards for trainer qualifications to be submitted to legislative committees before entering into the competitive bidding process; providing an effective date.

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By the Committee on Health, Aging, and Long-Term Care; and Senator Peadar—

**CS for SB 2020**—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the definition of the term “health flex plans”; authorizing plans to limit the term of coverage; extending the required period without coverage before one is eligible to participate; extending the expiration date for the program; providing an effective date.

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By the Committee on Transportation; and Senator Sebesta—

**CS for SB 2070**—A bill to be entitled An act relating to public transit; amending s. 341.031, F.S.; defining new terms for purposes of the Florida Public Transit Act; amending s. 341.041, F.S.; including intercity bus service as part of the transit responsibilities of the Department of Transportation; amending s. 341.051, F.S.; authorizing the department to receive federal and state funding for intercity bus service; amending s. 341.053, F.S.; including intercity bus lines within the state’s intermodal freight network; providing that intercity bus service is one of the projects eligible for funding under the Intermodal Development Program; providing an effective date.

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By the Committee on Criminal Justice; and Senator Cowin—

**CS for SB 2072**—A bill to be entitled An act relating to homicide of an unborn quick child; amending s. 316.193, F.S.; including the death of an unborn quick child under DUI manslaughter; amending s. 782.071, F.S.; making the killing of an unborn quick child rather than the killing of a viable fetus a “vehicular homicide”; deleting a provision describing the viability of a fetus; amending s. 782.09, F.S.; providing that killing an unborn quick child by injury to the mother which would be murder in any degree if it resulted in the death of the mother is murder in the same degree; providing penalties; providing that the unlawful killing of an unborn quick child by injury to the mother which would be manslaughter if it resulted in the death of the mother is manslaughter; providing penalties; providing that the death of the mother does not bar prosecution under specified circumstances; providing that the section does not authorize prosecution of a person in connection with a termination of pregnancy; amending s. 921.0022, F.S., relating to the Criminal Punishment Code offense severity ranking chart; conforming provisions to changes made by the act; providing an effective date.

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By the Committee on Health, Aging, and Long-Term Care; and Senator Villalobos—

**CS for SB 2078**—A bill to be entitled An act relating to medical practice; creating s. 458.3137, F.S.; authorizing issuance of temporary certificates for visiting physicians to obtain medical privileges for instructional purposes in conjunction with certain plastic surgery training programs and plastic surgery educational symposiums; providing for issuance of such certificates without examination to applicants who meet specified requirements; specifying the validity period of such certificates; limiting the number of certificates that may be issued per calendar year; providing financial responsibility requirements; providing practice limitations and conditions; prohibiting issuance of a certificate to a physician under investigation for a practice violation in another jurisdiction; providing an effective date.

By the Committee on Transportation; and Senator Sebesta—

**CS for SB 2110**—A bill to be entitled An act relating to metropolitan planning organizations; amending s. 120.52, F.S.; redefining the term “agency” for the purposes of the Administrative Procedure Act; amending s. 339.175, F.S.; providing authority for metropolitan planning organizations and political subdivisions to form separate legal or administrative entities for the purpose of coordinating regional transportation planning and development goals and purposes; specifying how the entity shall be created and operated; exempting the entity from the Administrative Procedure Act; providing an effective date.

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By the Committee on Transportation; and Senators Crist and Bennett—

**CS for SB 2128**—A bill to be entitled An act relating to wrecker services; amending s. 120.80, F.S.; exempting hearings of the Division of the Florida Highway Patrol concerning the wrecker allocation system from requirements of ch. 120, F.S.; creating s. 205.1975, F.S.; prohibiting a county or municipality from issuing or renewing a license for a wrecker company that is not in compliance with the requirements of the act; amending s. 316.530, F.S., relating to traffic control; conforming provisions to changes made by the act; reenacting s. 316.550(4), F.S., relating to special wrecker permits, to incorporate the amendment to s. 320.01, F.S., in references thereto; amending s. 316.605, F.S.; providing requirements for licensing wreckers and other vehicles; amending s. 320.01, F.S.; redefining the term “wrecker” for purposes of the Florida Statutes; amending ss. 320.03 and 320.0706, F.S., relating to motor vehicle registration and license plates; conforming provisions to changes made by the act; reenacting s. 320.08(5)(d) and (e), F.S., relating to license taxes, to incorporate the amendment to s. 320.01, F.S., in references thereto; amending s. 320.0821, F.S.; revising requirements for the issuance of wrecker license plates; amending s. 320.13, F.S., relating to dealer license plates; conforming provisions to changes made by the act; amending s. 321.051, F.S.; providing definitions; requiring the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles to establish a wrecker allocation system; providing requirements for the system; authorizing the division to set maximum rates for towing and storage of vehicles; prohibiting an unauthorized wrecker company from monitoring a police radio or engaging in other activities; providing penalties; providing requirements for dispatching wreckers; amending s. 323.001, F.S., relating to wrecker company storage facilities; providing definitions; providing procedures for a law enforcement agency to place a hold on a stored vehicle; providing for payment of towing and storage charges; amending s. 323.002, F.S.; providing definitions; providing requirements for a county or municipality that operates a wrecker allocation system; providing requirements for the system; prohibiting an unauthorized wrecker company from monitoring a police radio or engaging in other activities; providing penalties; providing requirements for dispatching wreckers; creating chapter 508, F.S.; providing definitions; creating the Wrecker Operator Advisory Council within the Department of Agriculture and Consumer Services; providing for membership and terms; providing for reimbursement for travel and per diem expenses; requiring the council to advise the department on matters relating to standards and practices in the wrecker industry; authorizing the department to adopt rules; requiring wrecker companies to register with the department; providing requirements for registration renewal; providing requirements for advertisements; requiring insurance coverage; authorizing the department to deny registration under certain circumstances; establishing a certification program for wrecker operators; requiring the department to approve courses and organizations; providing requirements for examinations; providing for certification in specialized wrecker services; requiring the department to adopt rules; providing for certification cards to be issued to wrecker operators who complete the certification course and pass the examination; prohibiting the performance of wrecker services after a specified date unless the company is registered and obtains certification as required; authorizing the department to inspect employment records; providing requirements for continuing education; specifying prohibited acts; providing administrative, civil, and criminal penalties; providing for registration fees; providing for deposit of fees, penalties, and other funds; providing that the chapter does not apply to recovery agents; authorizing counties and municipalities to enact ordinances governing wrecker operators; amending s. 713.78, F.S., relating to liens for recovering, towing, or storing vehicles, vessels, or mobile homes; providing definitions; conforming provisions to changes made by the act; providing for attorney’s

fees to be awarded to the prevailing party for a frivolous claim of wrongful taking or claim of lien; providing immunity from liability for a wrecker company, its operators, and other employees or agents if services are performed with reasonable care or for complying with the directions of a law enforcement officer; providing for the owner of a vehicle, vessel, or mobile home to dispute a claim of lien by a wrecker company based on a record of sale; clarifying that the amendments made by the act do not affect the validity of prior liens; amending s. 715.07, F.S., relating to the towing of vehicles and vessels parked on real property without permission; providing definitions; providing for the towing and removal of vehicles and vessels under certain circumstances; conforming provisions to changes made by the act; providing requirements for towing and storage; prohibiting a property owner from soliciting a wrecker company for a rebate for the privilege of removing vehicles from the owner's property; providing immunity from liability for a wrecker company, its operators, and other employees or agents if services are performed with reasonable care; providing that failure to comply with notice requirements precludes a wrecker company from imposing certain towing or storage charges; providing penalties; repealing s. 1.01(15), F.S., relating to the definition of the term "wrecker operator"; providing an appropriation and authorizing additional positions; providing effective dates.

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By the Committee on Health, Aging, and Long-Term Care; and Senators Saunders and Atwater—

**CS for SB 2132**—A bill to be entitled An act relating to certificates of need; amending s. 408.032, F.S.; redefining the term "tertiary health service," as used in the Health Facility and Services Development Act, to include open-heart surgery; amending s. 408.033, F.S.; providing for the level of finding for local health councils; amending s. 408.036, F.S.; amending provisions specifying which health-care-related projects are subject to review and must file an application for a certificate of need; exempting certain projects from review, including the provision of percutaneous coronary intervention, in specified circumstances; providing for the expiration of such an exemption and for postponement of the renewal of the exemption, as specified; providing additional exemptions; amending s. 408.038, F.S.; providing increases in fees for certificate-of-need applications; amending s. 408.039, F.S.; amending the review process for certificates of need; providing for automatic approval if the Agency for Health Care Administration does not issue a final order within a specified time; providing that a court must require the losing party to pay attorney's fees and costs of the prevailing party in certain circumstances; creating the Hospital Statutory and Regulatory Reform Council; providing legislative intent; providing for membership and duties of the council; providing an effective date.

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By the Committee on Health, Aging, and Long-Term Care; and Senator Clary—

**CS for SB 2144**—A bill to be entitled An act creating the Board of Dentistry Empowerment Act; creating s. 466.055, F.S.; providing for the appointment of an executive director; providing for duties, and board oversight; requiring director to oversee staff; requiring the department to contract for a dental intake officer and providing qualifications; requiring certain responsibilities of the officer; requiring the board to establish certain performance parameters for departmental handling of disciplinary cases, and consequences; requiring testing services to report to the board if requested; requiring a board spending plan and its content; requiring board spending authority over discretionary budget items; requiring a department report of certain information; providing for a board response; providing an effective date.

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By the Committees on Comprehensive Planning; Military and Veterans' Affairs, Base Protection, and Spaceports; and Senators Clary, Peaden and Fasano—

**CS for CS for SB 2152**—A bill to be entitled An act relating to military readiness; creating s. 163.3175, F.S.; providing legislative findings relating to the compatibility of development with military installations; providing for an exchange of information between certain local governments and military installations; requiring the local government

to consider the comments of the commanding officer of a military installation relating to potential adverse effects on the installation which may result from rezonings or changes in land use; amending s. 163.3177, F.S.; providing that an element relating to military readiness is a mandatory element of the comprehensive plans for certain local governments; requiring the local governments to seek advice from individuals who may be affected by this element; providing factors that must be considered in connection with this element; requiring the local governments to update the military readiness element by June 30, 2004; amending s. 163.3187, F.S.; exempting from certain restrictions on the adoption of amendments to comprehensive plans an amendment relating to military readiness; amending s. 163.3167, F.S.; prohibiting certain judicial abrogation of quasi-judicial development orders issued by local governments; providing for retroactive application; providing effective dates.

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By the Committee on Education; and Senator Diaz de la Portilla—

**CS for SB 2156**—A bill to be entitled An act relating to the Florida High School Activities Association; amending s. 1006.18, F.S.; providing technical revisions; amending s. 1006.20, F.S.; renaming the association as the Florida High School Athletic Association; revising the procedures for students' physical examinations; revising membership of the board of directors; deleting obsolete provisions; providing an effective date.

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By the Committee on Education; and Senator Posey—

**CS for SB 2170**—A bill to be entitled An act relating to charter school districts; amending s. 1003.62, F.S.; providing additional criteria for the establishment of a charter school district; providing for renewal of the charter; providing an effective date.

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By the Committee on Health, Aging, and Long-Term Care; and Senators Argenziano and Lawson—

**CS for SB 2186**—A bill to be entitled An act relating to the indigent care surtax; amending s. 212.055, F.S.; allowing small counties having a specified population to levy an indigent care surtax; providing procedures; providing uses of the surtax; providing a maximum tax rate; providing an effective date.

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By the Committees on Health, Aging, and Long-Term Care; Education; and Senator Miller—

**CS for CS for SB 2216**—A bill to be entitled An act relating to a public-records exemption for proprietary confidential business information owned or controlled by the H. Lee Moffitt Cancer Center and Research Institute; amending s. 1004.43, F.S.; expanding the public-records exemption for proprietary confidential business information to include specified materials, potential trade secrets, potentially patentable material, or proprietary information received, generated, ascertained, or discovered during the course of research; expanding the public-records exemption to include information received from another state or nation or the Federal Government which is otherwise confidential or exempt pursuant to the laws of that state or nation or pursuant to federal law; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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By the Committee on Criminal Justice; and Senator Cowin—

**CS for SB 2228**—A bill to be entitled An act relating to career service exemptions; amending s. 110.205, F.S.; deleting positions related to the Correctional Educational Program within the Department of Corrections; deleting superintendent and assistant superintendent positions and adding the positions of colonel and major within the Department of Corrections; providing an effective date.



By the Committee on Health, Aging, and Long-Term Care; and Senator Dawson—

**CS for SB 2234**—A bill to be entitled An act relating to health care; providing legislative findings; creating the Florida Uninsured Health Care Task Force; providing for membership, purposes and duties, and meetings of the task force; providing duties of the Department of Health; specifying the location of task force meetings; requiring a report to legislative leaders; providing an effective date.

By the Committees on Comprehensive Planning; Commerce, Economic Opportunities, and Consumer Services; and Senators Siplin, Wilson, Dockery and Campbell—

**CS for CS for SB 2266**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to specified units of local government owning eligible convention centers; creating s. 288.1171, F.S.; providing for certification of units of local government owning eligible convention centers by the Office of Tourism, Trade, and Economic Development; requiring the office to adopt specified rules; providing a definition; providing requirements for certification; providing for use of proceeds distributed to units of local government under the act; providing for audits by the Department of Revenue; providing for revocation of certification; providing an effective date.

By the Committee on Health, Aging, and Long-Term Care; and Senator Peaden—

**CS for SB 2312**—A bill to be entitled An act relating to the distribution of prescription drugs; providing a short title; providing legislative findings and intent with respect to a report by the Seventeenth Statewide Grand Jury; amending s. 499.003, F.S.; defining additional terms; amending s. 499.005, F.S.; prohibiting the purchase or sale of prescription drugs in wholesale distribution in exchange for currency; clarifying provisions prohibiting the transfer of legend drugs from or to any person not authorized to possess such drugs; prohibiting additional acts concerning the distribution of prescription drugs; creating s. 499.0051, F.S.; providing that failure to maintain or deliver pedigree papers, failure to authenticate pedigree papers, forgery of pedigree papers, purchase of legend drugs from an unlicensed person, sale of legend drugs to an unlicensed person, possession or sale of contraband legend drugs and possession with intent to sell or deliver contraband legend drugs, and forgery of prescription labels or legend drug labels are felony offenses; providing penalties; creating s. 499.0052, F.S.; providing that trafficking in contraband legend drugs is a felony offense; providing penalties; providing enhanced penalties if the defendant is a corporation or not a natural person; creating s. 499.0053, F.S.; providing that the sale or purchase of a contraband legend drug resulting in great bodily harm is a first-degree felony; creating s. 499.0054, F.S.; providing that the sale or purchase of a contraband legend drug resulting in death is a first-degree felony; amending s. 499.006, F.S.; providing that a legend drug that is unaccompanied by a proper pedigree paper or that has been in the possession of an unauthorized person is an adulterated drug; amending s. 499.007, F.S.; revising labeling requirements to conform to federal law; amending s. 499.01, F.S.; requiring that prescription drug repackagers, nonresident prescription drug manufacturers, and freight forwarders obtain a permit from the Department of Health in order to do business; prohibiting a county or municipality from issuing an occupational license prior to an establishment obtaining a permit required under ch. 499, F.S., under specified circumstances; providing for early expiration of certain permits; amending s. 499.012, F.S.; excluding the transfer of prescription drugs within a hospital from the definition of wholesale distribution; providing bond requirements for prescription drug wholesalers; deleting provisions authorizing the department to grant out-of-state wholesalers reciprocity; requiring freight forwarders and nonresident prescription drug manufacturers to obtain a permit; providing requirements for permit applications; providing definitions; providing requirements for the permitting of prescription drug wholesalers and out-of-state prescription drug wholesalers; providing criteria for permit denials; requiring prescription drug wholesalers to designate a representative; providing criteria for designation as a representative; amending s. 499.0121, F.S.; requiring record review; requiring pedigree

papers for the transfer and sale of legend drugs; providing exemptions; providing documentation requirements for the shipment of prescription drugs; providing requirements for wholesale drug distributors with respect to the exercise of due diligence; providing rulemaking authority; creating s. 499.01211, F.S.; creating the Drug Wholesaler Advisory Council within the Department of Health; providing for membership of the council and terms of office; requiring the council to review rules and make recommendations to the secretary of the department; amending s. 499.013, F.S.; providing requirements for repackagers of drugs, devices, and cosmetics; requiring that a repackager obtain a permit from the department; providing labeling requirements; amending s. 499.014, F.S.; specifying that certain restricted distributors are exempt from the requirements concerning pedigree papers; amending s. 499.041, F.S.; revising the schedule of fees for permits; amending s. 499.051, F.S.; revising the authority of the Department of Health to inspect pharmacies and pharmacy wholesalers; authorizing the department and the Department of Law Enforcement to inspect certain financial documents and records; amending s. 499.055, F.S.; requiring the Department of Health to establish a website listing all permitholders and pending enforcement actions; creating s. 499.065, F.S.; authorizing the department to enter and inspect all permitted facilities at any reasonable time; authorizing the department to seize and destroy prescription drugs representing a threat to public health; authorizing the department to close facilities that represent an imminent danger to public health; amending s. 499.066, F.S.; providing for administrative actions by the department; creating s. 499.0661, F.S.; providing for the department to issue cease and desist orders; providing for the department to order the removal of certain persons from involvement with certain drug wholesalers; providing penalties; amending s. 499.067, F.S.; specifying additional grounds for denial of a permit or certification; amending s. 499.069, F.S.; revising certain penalty provisions; creating s. 499.0691, F.S.; providing criminal penalties for violations related to drugs or false advertisement; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to changes made by the act; amending s. 895.02, F.S.; including certain violations of part I of ch. 499, F.S., within the definition of racketeering activity; amending ss. 16.56 and 905.34, F.S.; authorizing criminal violations of part I of ch. 499, F.S., to be prosecuted by the Office of Statewide Prosecution and heard by the Statewide Grand Jury; providing for severability; providing an appropriation; providing an effective date.

By the Committees on Comprehensive Planning; Commerce, Economic Opportunities, and Consumer Services; and Senators Saunders, Miller and Siplin—

**CS for CS for SB's 2328 and 2252**—A bill to be entitled An act relating to economic stimulus; amending s. 212.08, F.S.; revising sales price criteria for characterizing business property; amending s. 212.097, F.S.; revising provisions providing for an urban job tax credit program to apply to designated urban job tax credit areas rather than high crime areas; revising and providing definitions, eligibility criteria, application procedures and requirements, and area characteristics and criteria; authorizing transfer of unused credits; specifying use of transferred credits; amending s. 220.1895, F.S.; conforming changes; removing a historical reference; amending s. 220.191, F.S.; revising definitions; amending s. 288.1045, F.S.; revising the definition of "Department of Defense contract" under the tax refund program for qualified defense contractors; extending the period applicable to a program exemption under certain conditions; amending s. 288.106, F.S.; providing for special consideration to be given to defense and homeland security under the tax refund program for qualified target industry businesses; extending the period applicable to a program exemption under certain conditions; reenacting and amending s. 288.9515, F.S.; revising and clarifying powers of Enterprise Florida, Inc., to develop authorized technology development programs; deleting a preference requirement for contractor selections; clarifying a requirement for capitalization of a technology development financing fund; revising criteria and requirements for investment of monies in the Florida Technology Research Investment Fund; providing for payment of certain claims from the fund; specifying nonapplication of state credit or taxing power; specifying absence of state liability for certain claims; directing Enterprise Florida, Inc., to facilitate the formation of investor networks; repealing s. 288.9517, F.S., relating to audits of the technology development board and confidentiality of the identity of certain contributors to the board; repealing s. 14, ch. 93-187, Laws of Florida, relating to the future repeal and review by the Legislature of



statutes governing certain technology development programs of Enterprise Florida, Inc.; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Lynn—

**CS for SB 2334**—A bill to be entitled An act relating to municipal police and firefighter pensions; amending s. 175.351, F.S.; authorizing certain municipalities to provide extra benefits to firefighter pension plans prior to the receipt of additional premium tax revenues; providing a procedure; amending s. 185.35, F.S.; authorizing certain municipalities to provide extra benefits in police officer pension plans under certain circumstances; providing a procedure; providing an effective date.

By the Committee on Commerce, Economic Opportunities, and Consumer Services; and Senators Klein and Lynn—

**CS for SB 2362**—A bill to be entitled An act relating to the Florida Business Corporations Act; amending s. 607.0120, F.S.; clarifying a document execution provision relating to filing requirement; amending s. 607.0122, F.S.; clarifying an agent statement of resignation fee provision; amending s. 607.0123, F.S.; clarifying an effective time and date of document provision; amending s. 607.0124, F.S.; clarifying a filed document correction provision; amending s. 607.0141, F.S.; revising certain required notice provisions; providing for nonapplication to certain provisions; amending s. 607.0401, F.S.; clarifying a corporate name provision; providing construction relating to a corporate name; amending s. 607.0505, F.S.; providing for agent designation withdrawals by alien business organizations; amending s. 607.0630, F.S.; clarifying shareholder's preemptive rights provisions relating to certain securities; amending s. 607.0701, F.S.; providing for remote communications at annual shareholder meetings; providing requirements; amending s. 607.0702, F.S.; providing for remote communications at special shareholder meetings; providing requirements; amending s. 607.07401, F.S.; revising a complaint verification and allegation requirement under a shareholder derivative action provision; amending s. 607.0902, F.S.; revising a notice of shareholder meeting requirement; providing construction of control shares voting rights; deleting a rights of dissenting shareholders provision; amending s. 607.10025, F.S.; clarifying certain articles of incorporation provisions; amending s. 607.1004, F.S.; clarifying certain voting group amendment voting provisions; amending s. 607.1006, F.S.; clarifying certain execution of articles of amendment provisions; amending s. 607.1103, F.S.; clarifying a notification of certain plan actions provision; amending s. 607.1104, F.S.; clarifying a merger of subsidiary corporation plan of merger information requirement; amending s. 607.1108, F.S.; correcting a cross-reference; amending s. 607.11101, F.S.; clarifying certain effect of merger provisions; amending s. 607.1202, F.S.; clarifying a notice requirement relating to certain sales of assets; amending s. 607.1301, F.S.; providing definitions relating to appraisal rights; amending s. 607.1302, F.S.; providing for shareholders' rights to appraisals under certain circumstances; providing limitations; providing for limiting or eliminating appraisal rights under certain circumstances; prohibiting certain corporate action challenges under certain circumstances; creating s. 607.1303, F.S.; providing procedures, requirements, and limitations for assertion of rights by nominees and beneficial owners; amending s. 607.1320, F.S.; providing requirements for notice of appraisal rights; creating s. 607.1321, F.S.; providing requirements for notice of intent to demand payment; creating s. 607.1322, F.S.; providing appraisal notice and form requirements; creating s. 607.1323, F.S.; providing procedures, requirements, and limitations for perfection of appraisal rights; providing for right to withdraw under certain circumstances; creating s. 607.1324, F.S.; providing procedures and requirements for shareholders' acceptance of certain offers; creating s. 607.1326, F.S.; providing procedures for shareholder dissatisfaction with certain offers; providing for waiver of certain rights; creating s. 607.1330, F.S.; providing requirements, procedures, and limitations on court actions; providing for entitlement to certain judgments; requiring corporate payments under certain circumstances; creating s. 607.1331, F.S.; providing for assessment and award of court costs and attorney fees under certain circumstances; creating s. 607.1332, F.S.; providing for disposition of certain acquired shares; creating s. 607.1333, F.S.; providing limitations on corporate payouts; providing certain shareholder notice requirements; amending s. 607.1403, F.S.; providing for execution of articles of dissolution; clarifying requirements; amending s. 607.1406, F.S.; clarifying provisions relating to claims against

dissolved corporations; creating s. 607.1407, F.S.; providing procedures and requirements for administration of unknown claims against dissolved corporations; amending s. 607.1422, F.S.; revising procedural requirements for reinstatement after administrative dissolution; amending s. 607.1430, F.S.; providing for restricting certain grounds for judicial dissolution; providing application; amending s. 607.1503, F.S.; clarifying certain foreign corporation name requirements; amending s. 607.1504, F.S.; revising certain execution procedures and requirements for amended certificates of authority; amending s. 607.1506, F.S.; clarifying name requirements for foreign corporations; creating s. 607.1605, F.S.; providing requirements, procedures, and limitations on inspection of corporate records by directors; amending s. 607.1622, F.S.; deleting an annual report information requirement relating to corporate liability for certain taxes; amending s. 607.1907, F.S.; clarifying an effect of repeal of prior acts provision; repealing s. 607.0903, F.S., relating to application of certain provisions to foreign corporations; providing effective dates.

By the Committee on Health, Aging, and Long-Term Care; and Senator Fasano—

**CS for SB 2390**—A bill to be entitled An act relating to controlled substances; creating s. 831.311, F.S.; prohibiting the sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances; providing penalties; amending s. 893.04, F.S.; providing additional requirements for the dispensing of a controlled substance listed in Schedule II, Schedule III, or Schedule IV; providing rulemaking authority to the Board of Pharmacy; creating s. 893.055, F.S.; requiring the Department of Health to establish an electronic system to monitor the prescribing of controlled substances listed in Schedule II, Schedule III, and Schedule IV; requiring the dispensing of such controlled substances to be reported through the system; providing exceptions; providing reporting requirements; providing penalties; providing rulemaking authority to the department; requiring the department to cover all costs for the system; providing a continuing appropriation; providing that a certain trust fund may not be used to fund the program; creating s. 893.065, F.S.; requiring the department to develop and adopt by rule the form and content for a counterfeit-proof prescription blank for voluntary use by physicians to prescribe a controlled substance listed in Schedule II, Schedule III, or Schedule IV; providing an appropriation; providing contingent applicability of penalties; providing contingent effective dates.

By the Committee on Transportation; and Senator Sebesta—

**CS for SB 2416**—A bill to be entitled An act relating to public records; creating s. 319.42, F.S.; providing that certain motor vehicle dealer information is confidential and exempt from public-records requirements; providing exceptions; providing penalties; providing for future legislative review and repeal; providing a finding of public necessity; providing an effective date.

By the Committee on Criminal Justice; and Senator Saunders—

**CS for SB 2430**—A bill to be entitled An act relating to tests for alcohol, chemical substances, or controlled substances; amending ss. 316.1932 and 327.352, F.S.; revising provisions that provide for tests to determine blood alcohol content or the presence of chemical or controlled substances; providing an effective date.

By the Committee on Commerce, Economic Opportunities, and Consumer Services; and Senator Cowin—

**CS for SB 2438**—A bill to be entitled An act relating to public lodging establishments; amending s. 509.013, F.S.; defining the term "handbill"; creating s. 509.144, F.S.; prohibiting the distribution of handbills on the premises of public lodging establishments; providing penalties; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Sebesta—

**CS for SB 2550**—A bill to be entitled An act relating to mobile homes; creating s. 319.261, F.S.; providing a process to retire title to a mobile home; defining “real property owned by that same person”; providing procedures; requiring the clerk of court to record certain documents and provide copies to the owner; requiring the clerk of court to provide a copy of the recorded title or manufacturers’ certificate of origin to the owner; providing for the owner or lienholder of the mobile home to file an application with the Department of Highway Safety and Motor Vehicles; providing for that department to retire the title; requiring notice to the applicant; providing procedures for that department to issue a new title; providing for conveyance of such mobile home; providing for perfecting, realizing, and foreclosure of security interests; prohibiting falsifying or omitting material or violating the section otherwise; providing penalties; providing for application and construction of the act; providing for severability; providing an effective date.

By the Committee on Children and Families; and Senator Lynn—

**CS for SB 2568**—A bill to be entitled An act relating to the Department of Children and Family Services; amending s. 393.0661, F.S.; requiring pilot programs to test the redesign of developmental disabilities services; providing for requirements for the pilot programs; requiring a report to the Legislature; deleting the requirement that the redesigned system be fully implemented by July 1, 2003; deleting the requirements of the plan pertaining to direct provider enrollment and assessment of all clients; creating ss. 393.506 and 400.9685, F.S.; providing for certain unlicensed staff to assist persons with developmental disabilities to administer certain prescription medications; providing the conditions under which staff may assist with medication; amending s. 402.310, F.S.; authorizing the Department of Children and Family Services or a local licensing agency to deny, suspend, or revoke the license of a child care facility, a licensed family day care home, or a large family child care home and to deny, suspend, or revoke the registration of a family day care home following a violation of certain laws or rules; amending s. 402.313, F.S.; repealing the authority of the Department of Children and Family Services or a local licensing agency to impose an administrative fine on a family day care home; requiring the department to establish minimum safety standards for licensed family day care homes; repealing s. 402.3131(1)(a), F.S., relating to the authority of the Department of Children and Family Services or a local licensing agency to impose an administrative fine on a large family childcare home; amending s. 402.40, F.S.; replacing the terms “dependency program” and “dependency program staff” with the terms “child welfare services” and “person who delivers child welfare services,” respectively; defining those terms; redefining terms used in the section; requiring the Department of Children and Family Services to establish the core competencies for a training curriculum; requiring collaboration with experts and providers; requiring each person who delivers child welfare services to master particular components of the training curriculum; directing the department to competitively bid the contracts for the training curriculum; requiring the Department of Children and Family Services to annually examine the advance training needs for child welfare services; requiring the department to develop minimum standards for a certification process and minimum standards for trainer qualifications; deleting a requirement that the department contract with Tallahassee Community College for the operation of one or more training academies; providing for the roles of the training academies; directing the department to competitively bid training academy contracts; requiring the core competencies, standards for a certification process, and standards for trainer qualifications to be submitted to legislative committees before entering into the competitive bidding process; amending s. 409.1671, F.S.; deleting the requirement for a plan; requiring the Governor’s approval of the department’s methodology for transferring funds; specifying that the term “related services” includes adoption services; modifying the schedule by which community-based care will be implemented; requiring written certification prior to transferring services; requiring an evaluation and report to the Legislature; deleting dates by which certain community-based care activities must occur; amending s. 415.102, F.S.; redefining the terms “abuse,” “neglect,” and “vulnerable adult”; creating s. 415.1046, F.S.; providing the Department of Children and Family Services with the authority to contract for provision of adult protective investigative services; stipulating the requirements for sheriffs’ offices to be eligible to contract for provision of adult protective investigative services; providing for the contracting and funding for adult protective investigative

services; requiring sheriffs’ employees to complete certain training; stipulating minimum requirements for the sheriffs’ offices’ operation of adult protective investigations; requiring a program performance evaluation; providing for an evaluation by the Office of Program Policy and Government Accountability of child welfare legal services; requiring a report; directing the department to continue its current delivery of child welfare legal services until directed otherwise by the Legislature; providing an effective date.

By the Committee on Transportation; and Senator Sebesta—

**CS for SB 2578**—A bill to be entitled An act relating to aviation; creating s. 332.14, F.S., the Secure Airports for Florida’s Economy (SAFE) Act; creating the SAFE Council; specifying membership and duties; directing the council to produce a 5-year Master Plan of eligible projects; specifying project purposes; providing for annual plan updates and submission of plan; directing the Department of Transportation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development to serve on the council and to evaluate the project proposals on specific criteria; allowing the council to expend federal, state, local, and private funds on projects, as appropriate and subject to legislative approval; providing for staff; requiring monitoring; amending s. 332.007, F.S.; authorizing airports to expend certain funds for security purposes through a specified date; providing an effective date.

By the Committee on Health, Aging, and Long-Term Care; and Senator Saunders—

**CS for SB 2618**—A bill to be entitled An act relating to health regulation; amending s. 468.352, F.S.; revising and providing definitions applicable to the regulation of respiratory therapy; amending s. 468.355, F.S.; revising provisions relating to respiratory therapy licensure and testing requirements; amending s. 468.368, F.S.; revising exemptions from respiratory therapy licensure requirements; repealing s. 468.356, F.S., relating to the approval of educational programs; repealing s. 468.357, F.S., relating to licensure by examination; providing effective dates.

By the Committee on Transportation; and Senator Crist—

**CS for SB 2630**—A bill to be entitled An act relating to highway designations; designating a portion of U.S. Highway 192 as “Howard E. Futch Memorial Highway”; providing for the erection of markers; providing an effective date.

By the Committee on Home Defense, Public Security, and Ports; and Senator Dockery—

**CS for SB 2636**—A bill to be entitled An act relating to the state agency law enforcement radio system and interoperability network; amending s. 282.1095, F.S.; authorizing a member of the Joint Task Force on State Agency Law Enforcement Communications to appoint an alternate; providing for the Department of Law Enforcement and the Department of Community Affairs, Division of Emergency Management, to work in conjunction with the State Technology Office to establish certain policies, procedures, and standards; authorizing the office to make certain mutual aid channels in the state radio communications system available to other agencies; providing for the creation of an interoperability network; providing powers and duties of the office; providing an effective date.

By the Committee on Transportation; and Senator Sebesta—

**CS for SB 2658**—A bill to be entitled An act relating to transportation; amending ss. 20.23 and 110.205, F.S.; providing for the reorganization of the Department of Transportation; revising duties of the assistant secretaries; providing for additional offices; amending s. 255.20, F.S.; providing for a presumption of prequalification for certain contractors; amending s. 316.1001, F.S.; providing for issuing citations for toll

violations by first class mail; providing that mailing constitutes notification of such a violation; amending s. 316.302, F.S.; revising provisions for exemption from specified notification requirements for commercial motor vehicles carrying hazardous materials; incorporating specified federal regulations; updating regulations and rules applicable to certain commercial motor vehicle owners and drivers; specifying ownership identification requirements for certain commercial motor carriers; providing penalties for violation of such requirements; providing for compliance reviews; deleting obsolete references; requirements for identifying commercial vehicles; authorizing the department to conduct compliance reviews; amending s. 316.3025, F.S.; conforming references; providing for a civil penalty to be assessed for additional specified violations; providing penalties for commercial trucks found to be operating following an out-of-service order; amending s. 316.3026, F.S.; providing for the Office of Motor Carrier Compliance to enforce laws governing the operating authority of motor carriers; repealing s. 316.3027, F.S., relating to identification requirements of commercial vehicles; amending s. 316.515, F.S.; revising length limitations for certain commercial vehicles; amending s. 316.545, F.S.; providing for placement of a lien on a vehicle for failure to pay an out-of-service fine; deleting obsolete provisions; authorizing weight inspectors to detain a commercial vehicle under certain circumstances; repealing s. 316.610(3), F.S., relating to a commercial vehicle inspection program within the department which no longer exists; amending s. 316.640, F.S.; providing for authorization of traffic accident investigation officers; amending s. 316.650, F.S.; authorizing the transfer of toll violation citations via electronic means; amending s. 316.70, F.S.; authorizing the department to conduct compliance reviews of nonpublic sector buses; amending s. 318.14, F.S.; revising the time period for paying certain civil penalties; amending s. 330.27, F.S.; revising definitions; amending s. 330.29, F.S.; revising duties of the Department of Transportation with respect to the regulation of airport sites and airports; requiring the department to establish requirements for airport site approval, licensure, and registration; requiring the department to establish and maintain a state aviation facility data system; amending s. 330.30, F.S.; revising provisions for airport site approval; revising provisions for airport licensing; providing for a private airport registration process; specifying requirements for such licensing and registration; deleting airport license fees; providing for expiration and revocation of such license or registration; revising provisions for exemption from such registration and licensing requirements; exempting described areas and facilities from such requirements; providing described private airports the option to be inspected and licensed by the department; amending s. 330.35, F.S.; revising provisions for airport zoning protection for public-use airports; amending s. 330.36, F.S.; providing for zoning requirements governing the landing of seaplanes; amending s. 334.03, F.S.; defining "511 services" and "interactive voice response"; amending s. 334.044, F.S.; expanding the powers and duties of the department to include oversight of traveler information systems; amending s. 334.14, F.S.; revising the qualifications required for engineers employed by the department; creating s. 334.60, F.S.; requiring the department to be the lead agency in establishing and coordinating a 511 traveler information phone system; amending s. 336.467, F.S.; authorizing the department to acquire rights-of-way for other governmental entities; amending s. 337.14, F.S.; clarifying the contractor prequalification process; prohibiting a construction contractor from providing testing services; amending s. 337.18, F.S.; clarifying that surety bonds issued in favor of the department for construction and maintenance projects over a specified amount are governed by chapter 337, F.S.; removing certain limitations on contractor incentive payments; amending s. 338.165, F.S.; authorizing the Division of Bond Finance to issue bonds at the department's request for certain facilities; amending s. 338.235, F.S.; authorizing the turnpike authority to secure products, business opportunities, and services by competitive solicitation; creating s. 339.61, F.S.; providing legislative findings; creating s. 339.62, F.S.; providing the components of the Strategic Intermodal System; creating s. 339.63, F.S.; designating system facilities; creating s. 339.64, F.S.; providing for the Strategic Intermodal System Plan; creating s. 339.65, F.S.; creating the Strategic Intermodal Transportation Advisory Council; repealing s. 83 of ch. 2002-20, Laws of Florida, as amended by s. 58 of ch. 2002-402, Laws of Florida, relating to grants for local governments; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senators Lawson and Miller—

**CS for SB 2672**—A bill to be entitled An act relating to per diem and travel expenses; amending s. 112.061, F.S.; establishing per diem and subsistence ranges for travel expenses of public employees; conforming provisions and deleting obsolete provisions; providing for future adjustments of such rates; providing that counties and district school boards may increase specified rates; providing an effective date.

By the Committee on Health, Aging, and Long-Term Care; and Senator Saunders—

**CS for SB 2678**—A bill to be entitled An act relating to health care practice parameters; repealing ss. 408.02, 440.13(15), F.S., relating to practice parameters; amending ss. 440.134, 627.6418, 627.6613, F.S., relating to worker's compensation managed care plans and health insurance policy coverage for mammograms; removing references and legislative intent, to conform; providing legislative intent that the statutory requirements conform to certain parameters relating to mammograms; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Wise—

**CS for SB 2684**—A bill to be entitled An act relating to public records; amending s. 18.20, F.S.; removing photographic film reproductions of specified vouchers or checks paid by the State Treasurer and preserved as records of the office of the Treasurer from classification as permanent records; creating s. 39.2021, F.S.; authorizing a petition for an order making public records pertaining to certain investigations by the Department of Children and Family Services; amending s. 119.01, F.S.; establishing state policy with respect to public records; requiring governmental agencies to consider certain factors in designing or acquiring electronic recordkeeping systems; providing certain restrictions with respect to electronic recordkeeping systems and proprietary software; requiring governmental agencies to provide copies of public records stored in electronic recordkeeping systems; authorizing agencies to charge a fee for such copies; specifying circumstances under which the financial, business, and membership records of an organization are public records; amending s. 119.011, F.S.; providing definitions; repealing ss. 119.0115, 119.012, and 119.02, F.S., relating to specified exemption for certain videotapes and video signals, records made public by the use of public funds, and penalties for violation of public records requirements by a public officer; amending s. 119.021, F.S.; providing requirements for governmental agencies in maintaining and preserving public records; requiring the Division of Library and Information Services of the Department of State to adopt rules for retaining and disposing of public records; authorizing the division to provide for archiving certain noncurrent records; providing for the destruction of certain records and the continued maintenance of certain records; providing for the disposition of records at the end of an official's term of office; requiring that a custodian of public records demand delivery of records held unlawfully; repealing ss. 119.031, 119.041, 119.05, and 119.06, F.S., relating to the retention and disposal of public records and the delivery of records held unlawfully; amending s. 119.07, F.S.; revising provisions governing the inspection and copying of public records; establishing fees for copying; providing requirements for making photographs; authorizing additional means of copying; repealing s. 119.08, F.S., relating to requirements for making photographs of public records; amending s. 119.084, F.S.; deleting certain provisions governing the maintenance of public records in an electronic recordkeeping system; repealing ss. 119.085 and 119.09, F.S., relating to remote electronic access to public records and the program for records and information management of the Department of State; amending s. 119.10, F.S.; clarifying provisions with respect to penalties for violations of ch. 119, F.S.; amending s. 119.105, F.S.; clarifying provisions under which certain police reports may be exempt from the public records law; amending s. 120.55, F.S.; revising language with respect to publication of the Florida Administrative Code to provide that the Department of State is required to compile and publish the code through a continuous revision system; amending s. 257.36, F.S.; providing procedure with respect to official custody of records upon transfer of duties or responsibilities between state agencies or dissolution of a state agency; amending s. 328.15, F.S.; revising the classification of records of notices

and satisfaction of liens on vessels maintained by the Department of Highway Safety and Motor Vehicles; amending s. 372.5717, F.S.; revising the classification of records of hunter safety certification cards maintained by the Fish and Wildlife Conservation Commission; creating s. 415.1071, F.S.; authorizing a petition for an order making public certain investigatory records of the Department of Children and Family Services; amending s. 560.121, F.S.; decreasing and qualifying the period of retention for examination reports, investigatory records, applications, application records, and related information compiled by the Department of Banking and Finance under the Money Transmitters' Code; amending s. 560.123, F.S.; decreasing the period of retention for specified reports filed by money transmitters with the Department of Banking and Finance under the Money Transmitters' Code; amending s. 560.129, F.S.; decreasing and qualifying the period of retention for examination reports, investigatory records, applications, application records, and related information compiled by the Department of Banking and Finance under the Money Transmitters' Code; amending s. 624.311, F.S.; authorizing the Department of Insurance to maintain an electronic recordkeeping system for specified records, statements, reports, and documents; eliminating a standard for the reproduction of such records, statements, reports, and documents; amending s. 624.312, F.S.; providing that reproductions from an electronic recordkeeping system of specified documents and records of the Department of Insurance shall be treated as originals for the purpose of their admissibility in evidence; amending s. 633.527, F.S.; decreasing the period of retention for specified examination test questions, answer sheets, and grades in the possession of the Division of State Fire Marshal of the Department of Insurance; amending s. 655.50, F.S.; revising requirements of the Department of Banking and Finance with respect to retention of copies of specified reports and records of exemption submitted or filed by financial institutions under the Florida Control of Money Laundering in Financial Institutions Act; amending s. 945.25, F.S.; requiring the Department of Corrections to obtain and place in its records specified information on every person who may be sentenced to supervision or incarceration under the jurisdiction of the department; eliminating a requirement of the department, in its discretion, to obtain and place in its permanent records specified information on persons placed on probation and on persons who may become subject to pardon and commutation of sentence; amending s. 985.31, F.S.; revising the classification of specified medical files of serious or habitual juvenile offenders; repealing s. 212.095(6)(d), F.S., which requires the Department of Revenue to keep a permanent record of the amounts of refunds claimed and paid under ch. 212, F.S., and which requires that such records shall be open to public inspection; repealing s. 238.03(9), F.S., relating to the authority of the Department of Management Services to photograph and reduce to microfilm as a permanent record its ledger sheets showing the salaries and contributions of members of the Teachers' Retirement System of Florida, the records of deceased members of the system, and the authority to destroy the documents from which such films derive; amending ss. 15.09, 23.22, 101.5607, 112.533, 1012.31(2)(e), 257.34, 257.35, 282.21, 287.0943, 320.05, 322.20, 338.223, 378.406, 400.0077, 401.27, 403.111, 409.2577, 455.219, 456.025, 627.311, 627.351, 633.527, 668.50, and 794.024, F.S.; conforming cross-references; reenacting s. 947.13(2)(a), F.S., relating to the duty of the Parole Commission to examine specified records, to incorporate the amendment to s. 945.25, F.S., in a reference thereto; repealing s. 430.015, F.S.; removing a public necessity statement for a public records exemption for identifying information contained in records of elderly persons collected and held by the Department of Elderly Affairs; amending s. 440.132, F.S.; removing a public necessity statement for a public records exemption for investigatory records of the Agency for Health Care Administration made or received pursuant to a workers' compensation managed care arrangement and examination records necessary to complete an investigation; repealing s. 723.0065, F.S.; removing a public necessity statement for a public records exemption for specified financial records of mobile home park owners acquired by the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation, and the Bureau of Mobile Homes of the division; repealing s. 768.301, F.S.; removing a public necessity statement for a public records exemption for certain claims files records and minutes of meetings and proceedings relating to risk management programs entered into by the state and its agencies and subdivisions, and a public meetings exemption for proceedings and meetings regarding claims filed; repealing s. 815.045, F.S.; removing a public necessity statement for a public records exemption for data, programs, or supporting documentation which are trade secrets and which reside or exist internal or external to a computer, computer system, or computer network and which are held by an agency; amending s. 943.031, F.S.; removing a public necessity statement for a public records

and public meetings exemption for specified portions of meetings of the Florida Violent Crime and Drug Control Council, specified portions of public records generated at closed council meetings, and documents related to active criminal investigations or matters constituting active criminal intelligence; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senators Lawson and Bullard—

**CS for SB 2686**—A bill to be entitled An act relating to the Florida Faith-Based Initiative; creating the Florida Families Faith-Based Initiative and providing for administration by the Florida Agricultural and Mechanical University; providing duties; prohibiting imposition of fees for certain purposes; requiring a report; providing for open records and meetings; providing an appropriation; providing an effective date.

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

### EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

#### *Office and Appointment*

Board of Trustees, Florida State University  
Appointee: Thrasher, John, Orange Park

*For Term  
Ending*

To Be  
Determined  
by the  
Florida  
Legislature

**[Referred to the Committees on Education; and Ethics and Elections.]**

Secretary of Management Services  
Appointee: Simon, William S., Weston

Pleasure of  
Governor

**[Referred to the Committees on Governmental Oversight and Productivity; and Ethics and Elections.]**

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable James E. "Jim" King, Jr., President

I am directed to inform the Senate that the House of Representatives has passed HB 255, HB 277, HB 301, HB 307, HB 355, HB 431, HB 731, HB 827, HB 1387, HB 1739, HB 1757; has passed as amended HB 273, HB 353, HB 365, HB 445, HB 551, HB 565, HB 631, HB 655, HB 1113, HB 1703; has adopted HM 429; has adopted as amended HM 209 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Goodlette—

**HB 255**—A bill to be entitled An act relating to Collier County; amending chapter 69-1326, Laws of Florida, as amended; increasing the borrowing power of the City of Naples Airport Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Representative Green—

**HB 277**—A bill to be entitled An act relating to the South Trail Fire Protection and Rescue District, Lee County; amending ch. 2000-484, Laws of Florida; conforming the district charter to Florida Statutes relating to annexations within the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Green—

**HB 301**—A bill to be entitled An act relating to the East County Water Control District, Hendry and Lee Counties; amending ch. 2000-423, Laws of Florida; providing for the apportionment of maintenance taxes equitably to all equally benefited properties; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Sorensen—

**HB 307**—A bill to be entitled An act relating to the City of North Key Largo Beach, Monroe County; abolishing the city; repealing ch. 31037 (1955), Laws of Florida; providing for transfer of assets and liabilities to the Board of County Commissioners of Monroe County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Farkas—

**HB 355**—A bill to be entitled An act relating to the Juvenile Welfare Board of Pinellas County; providing legislative intent; amending, codifying, and reenacting chapters 23483 (1945), 24826 (1947), 25500 (1949), 26356 (1949), 61-2675, 65-2101, 70-894, 79-555, 92-228, 93-311, 95-473, and 2000-427, Laws of Florida; repealing all prior special acts relating to the Juvenile Welfare Board of Pinellas County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Sorensen—

**HB 431**—A bill to be entitled An act relating to Monroe County; amending chapter 76-441, Laws of Florida, as amended by chapter 87-454, Laws of Florida; extending the period within which any person who is 60 years of age or older or a totally and permanently disabled American veteran meeting low income standards may apply for a special lower rate, fee, rental, or other charge; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Culp and others—

**HB 731**—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 29126 (1953), Laws of Florida, relating to Parkland Estates Subdivision; amending the preamble to reflect that the enforcement of zoning regulations requires a collaborative effort between Parkland Estates Subdivision and the City of Tampa and incorporating the preamble as a section of law; amending sections 1, 2, 7, and 8; modernizing language; deleting references to garages, servant houses, and out houses; providing that side setbacks may not

extend beyond 7.5 feet; providing an exception; providing that Parkland Estates Civic Club has concurrent enforcement powers with the City of Tampa; removing language that any church construction be valued at a minimum of \$250,000; creating sections 4, 5, 6, and 7; providing for area rezoning of single-family residential structures by the City of Tampa and for grandfathering certain structures under certain circumstances; providing for conforming and nonconforming legal status for certain properties which have been and are used for nonresidential properties and for grandfathering certain structures under certain circumstances; directing the City of Tampa to initiate an area rezoning and requiring certain public hearings and notices; providing that the City of Tampa may enforce the use and development restrictions set forth in the act; providing that if there are inconsistencies between the City Zoning Code and the act, the act shall prevail; providing severability; repealing sections 3, 4, 5, 6, and 9, relating to use of properties between building lines and streets, of certain building materials and the sizes of buildings, the use of cesspools or septic tanks, the keeping of livestock and poultry, and misdemeanor infractions; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Murzin—

**HB 827**—A bill to be entitled An act relating to Escambia County; repealing chapter 2001-328, Laws of Florida; abolishing the Pensacola-Escambia Governmental Center Authority; transferring title to all assets and liabilities of the Authority to the City of Pensacola and Escambia County jointly; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Pickens—

**HB 1387**—A bill to be entitled An act relating to the Putnam County Development Authority; providing for codification of the authority's special acts; amending, codifying, and reenacting the authority's special acts; providing for membership of the authority; authorizing the County of Putnam and its incorporated municipalities to contract with the authority; prescribing the authority's powers and duties, including the power to issue and validate revenue anticipation certificates; repealing all prior special acts relating to the Putnam County Development Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By the Committee on Education K-20; and Representative Bilirakis and others—

**HB 1739**—A bill to be entitled An act relating to access to postsecondary education; creating s. 1007.02, F.S., relating to access to postsecondary education and meaningful careers for students with disabilities; defining the term "student with a disability"; amending s. 1003.43, F.S., relating to high school graduation requirements; deleting requirement that the life management skills course be taken at specific grade levels; requiring the State Board of Education to adopt rules providing for test accommodations and modifications of procedures for students with disabilities; requiring the award of a standard diploma to a student with a disability who meets certain criteria; amending s. 1007.263, F.S., relating to admissions of students to community colleges; requiring admissions counseling for students entering career credit programs; requiring the use of certain tests; providing criteria for certain students to enroll in certificate career education programs; providing eligibility for reasonable substitutions for students with documented disabilities; amending s. 1007.264, F.S.; providing eligibility for reasonable substitutions for admission to postsecondary educational institutions for certain students with disabilities; creating s. 1007.265, F.S.; providing eligibility for reasonable substitutions for requirements for graduation, study program

admission, and upper-division entry for certain students with disabilities; requiring the State Board of Education to adopt rules and develop substitute requirements; amending s. 1007.27, F.S.; requiring the State Board of Education to review and report on the use of acceleration mechanisms and grading practices, including the weighting of courses, for credit and admission; amending s. 1008.22, F.S., relating to student assessment for public schools; providing a cross reference; amending s. 1002.21, F.S.; correcting a cross reference; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

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By the Committee on Business Regulation; and Representative Bulard and others—

**HB 1757**—A bill to be entitled An act relating to the Florida Clean Indoor Air Act; revising various provisions of pt. II of ch. 386, F.S., the Florida Clean Indoor Air Act, for the purpose of implementing s. 20, Art. X of the State Constitution; amending s. 386.201, F.S.; providing a popular name; amending s. 386.202, F.S.; revising legislative intent; amending s. 386.203, F.S.; providing definitions; amending s. 386.204, F.S.; revising exceptions to the prohibition on smoking in an enclosed indoor workplace; amending s. 386.206, F.S.; providing for continuation of requirements with respect to the posting of signs stating that smoking is not permitted in an indoor workplace; providing for expiration of such provisions; requiring the proprietor or person in charge of an enclosed indoor workplace to develop and implement a policy regarding smoking prohibitions; amending s. 386.207, F.S., relating to administration, enforcement, and civil penalties; removing a cross reference, to conform; eliminating exemptions; amending s. 386.208, F.S.; clarifying language; reenacting s. 386.209, F.S., which preempts regulation of smoking to the state; amending s. 386.211, F.S., relating to public announcements in mass transportation terminals, to conform; reenacting s. 386.212, F.S., which prohibits any person under 18 years of age from smoking tobacco in, on, or within 1,000 feet of the real property comprising a public or private elementary, middle, or secondary school and provides penalties therefor; repealing s. 386.205, F.S., relating to designation of smoking areas; providing severability; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

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By Representative Kosmas—

**HB 273**—A bill to be entitled An act relating to the Southeast Volusia Hospital District, Volusia County; providing for codification of the district's charter; codifying, amending, and reenacting chapters 24961 (1947), 29586 (1953), 57-1931, 65-2362, 67-2148, 81-499, and 89-552, Laws of Florida; providing a declaration of legislative intent; repealing special acts relating to the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Carassas and others—

**HB 353**—A bill to be entitled An act relating to the Pinellas County Construction Licensing Board, Pinellas County; amending part II of chapter 75-489, Laws of Florida, as amended; revising composition of the board; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Ross and others—

**HB 365**—A bill to be entitled An act relating to audits of state agency direct-support organizations and citizen support organizations; amending s. 215.981, F.S.; specifying financial audit requirements for certain

direct-support organizations and citizen support organizations; excluding certain organizations from such requirements; requiring the Department of Environmental Protection to establish financial management guidelines; requiring the department to conduct operational and financial reviews of certain direct-support organizations or citizen support organizations each year; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Natural Resources; Appropriations Subcommittee on General Government; and Appropriations.

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By Representative Green—

**HB 445**—A bill to be entitled An act relating to the Fort Myers Beach Public Library District; codifying, amending, and reenacting special acts relating to the district; providing membership, powers, and duties of the governing board of the district; providing for the levying of non ad valorem assessments and the issuance of bonds; providing for the collection of taxes and assessments; providing construction; providing severability; repealing chapters 65-1823, 75-418, 79-489, 79-491, 81-414, 85-441, and 91-404, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Domino—

**HB 551**—A bill to be entitled An act relating to South Indian River Water Control District, Palm Beach County; amending ch. 2001-313, Laws of Florida; providing for authority to acquire property for recreational purposes within a specified area of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Kyle—

**HB 565**—A bill to be entitled An act relating to Lee County; amending the Lee County Home Rule Charter to provide for the election of commissioners from single districts; providing for the creation of districts; providing an exception; providing for a referendum; providing a ballot statement; providing for the staggering of commissioner terms; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Benson—

**HB 631**—A bill to be entitled An act relating to Escambia County; authorizing the adoption of the schedule of rates of per diem and subsistence allowances, transportation expenses, and other expenses established by the United States Government for official county travel; providing for resolution of conflicts with state statutory reimbursement rates; providing applicability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Comprehensive Planning; and Rules and Calendar.

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By Representative Needelman—

**HB 655**—A bill to be entitled An act relating to Brevard County; amending chapter 94-419, Laws of Florida, as amended by chapter 2000-451, Laws of Florida; revising provisions relating to license term; revising provisions relating to fees; revising provisions relating to the limita-

tion on the issuance of licenses; revising provisions relating to the use of proceeds from the collection of licensing fees; providing an expiration date; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Clarke—

**HB 1113**—A bill to be entitled An act relating to Sarasota County; providing legislative intent; amending, codifying, and reenacting all special acts relating to the Sarasota County Public Hospital District; providing District boundaries; providing for a governing board; providing powers, functions, and duties of the District and its governing board, including express power to sell and exchange real estate; repealing chapters 26468 (1949), 27888 (1951), 31262 (1955), 57-1838, 59-1839, 61-2807, 61-2855, 61-2868, 63-1893, 63-1895, 63-1896, 63-1913, 65-2226, 65-2227, 65-2232, 67-2047, 69-1583, 69-1593, 71-907, 83-525, 84-530, 85-501, 86-373, 87-526, 88-534, 90-411, 90-422, 95-507, and 2000-400, Laws of Florida, except for the provisions approved in referendum on January 10, 1950, conferring ad valorem taxing authority; ratifying actions of the District and the governing board taken pursuant to chapter 69-1583, Laws of Florida; providing severability; providing for construction and effect; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By the Committee on Public Safety and Crime Prevention; and Representative Barreiro—

**HB 1703**—A bill to be entitled An act relating to mitigating factors in certain offenses; amending s. 921.0026, F.S.; providing that the fact that a victim was an initiator, willing participant, aggressor, or provoker of an incident, or consented to an incident, is not a mitigating factor to offenses under ch. 794, F.S., or s. 800.04, F.S., under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal Justice; and Appropriations.

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By Representative Jordan and others—

**HM 429**—A memorial to the Congress of the United States, urging Congress to take all actions necessary to resolve the fate of Captain M. Scott Speicher.

—was referred to the Committee on Rules and Calendar.

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By Representative Fiorentino and others—

**HM 209**—A memorial to the Congress of the United States urging Congress to provide adequate federal funding for a full accounting of those missing from our nation's wars, including any Florida resident who is classified as a United States Prisoner of War/Missing in Action (POW/MIA).

—was referred to the Committee on Rules and Calendar.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 8 was corrected and approved.

## CO-SPONSORS

Senators Argenziano—CS for SB 1224, CS for SB 1928; Atwater—SB 638; Bullard—CS for SB 1580; Clary—SB 626; Cowin—SB 488, SB 626; Dawson—SB 2638; Diaz de la Portilla—SB 2248; Haridopolos—SB 626; Jones—SB 546, SB 2248; Lee—SB 626; Lynn—CS for SB 390, CS for SB 406, SB 736, SB 1806, SB 2002, SB 2474, SB 2476; Peaden—SB 626; Posey—SB 626, SB 2638; Pruitt—SB 372; Wilson—SB 1422, CS for SB 1454

Senator Constantine withdrew as a co-sponsor of SB 546.

## RECESS

On motion by Senator Lee, the Senate recessed at 12:24 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, April 16 or upon call of the President.